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IRISH POLITICAL PRISONERS.

SPEECHES

OF

JOHN O'CONNOR POWER, M.P.,

IN THE

HOUSE OF COMMONS

ON THE SUBJECT OF

AMNESTY, &c.,

AND

A STATEMENT

BY

MR. MICHAEL DAVITT

(EX-POLITICAL PRISONER),

ON

PRISON TREATMENT.

PRICE SIXPENCE.

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SPEECHES

OF

JOHN O'CONNOR POWER, M.P.,

IN THE

HOUSE OF COMMONS

ON THE SUBJECT OF

AMNESTY, &c.

HOUSE OF COMMONS.

March 12th, 1875.

On going into Committee of Supply, Mr. O'Connor Power said:—

Sir,—It now becomes my duty to move the resolution of which I have given notice, with respect to the Irish political prisoners, and I feel bound to do so without making any apology, although I am convinced that the question which I am about to raise is distasteful to many honourable and right honourable gentlemen at both sides of this House. It can never be the desire of a young member of this House, like myself, coming into the House for the first time last year, to set himself against the current of general opinion merely for the sake of exercising his combative powers, or attaining

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the unenviable distinction of being numbered amongst those whose delight it is to be always in opposition to ideas or opinions that are generally accepted. The feeling of the majority of the House has hitherto I admit been opposed to the release of those prisoners. Nevertheless, the question that I and every member of the House has to consider is not what the majority think, but what, on careful examination of the subject, appears to be right—not what the majority has done or intends to do, but what it should do, acting in obedience to the dictates of truth and justice. Besides, Sir, I have not been sent here to second the views of the right hon. gentleman at the head of the Home Department, whose curt reply to my question the other night has called forth the motion which I am now submitting to the House. I have come here to represent the views entertained by a majority of the people of one of the largest counties in Ireland, and I should be misrepresenting their views if I hesitated in telling the House that the continued incarceration of the Irish state prisoners is both impolitic and unjust. But the right hon. gentleman says there are no political prisoners detained in Her Majesty's prisons. Well, he did not say so last year, when I moved for returns that would give the public some information as to the treatment to which these prisoners were subjected. He did not then advance so sweeping and so absurd a proposition. He was content to say that some of them were convicted of offences which he could not regard as of a political character, but he is now determined to degrade them all to the level of common felony. I am not surprised at this. It has always been the policy of the British Government to lower as much as possible the character of its opponents. In 1848 an Irish viceroy had to acknowledge in a Dublin Police Court that he had employed a venal pressman to assail with every degrading epithet the party with which the hon. member for Meath was at that time associated; and we have a Home Secretary to-day who appears to be equally anxious to throw disgrace and dishonour upon the unfortunate Irish patriots who are now suffering in prison cells. By a return issued from the Home Office, on the motion of the honourable member for Limerick, and dated 17th April, 1874, I find there are eighteen prisoners still detained. This is not regarded by the Amnesty

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Association as a complete list of those whose offences were of a political character, and who are still imprisoned. This Association claims that the number of political prisoners amounts to fifty-four; but I will not discuss that point now. I take the list of eighteen as it stands, and I see that two of this number—Edward Shore and Patrick Melody—were convicted in 1867 for having been accessory to the murder of Sergeant Brett at Manchester, and have been in prison nearly eight years; that two—Michael Davitt and John Wilson—were convicted in 1870 for treason-felony, and have been nearly five years in prison; and that Colour-Sergeant M'Carthy and thirteen other prisoners were convicted in 1866—with the exception of John O'Brien who was convicted in 1867—for various breaches of the Articles of War, and have therefore been imprisoned for the last nine years. Now, we have here three classes of prisoners, and I must say at once that a few moments' consideration of the circumstances under which their several offences were committed will show that those offences were purely and unmistakably political. With reference to the affair at Manchester, Sergeant Brett nobly lost his life at the post of duty, but surely it is no reflection on the memory of that gallant officer to say that his death has been well avenged. On a cold, foggy morning in November, 1867, three young Irishmen swung from the gallows at Manchester on account of the death of this one man, and seven others have since undergone five years penal servitude for their participation in the attack on the prison van, whereby Sergeant Brett lost his life. Why, Sir, abstracting altogether from the political considerations involved in the case, it does appear to be an excess of cruelty to punish men for an offence of this kind which has been already expiated by the sacrifice of three lives upon the scaffold, and by the infliction of penal servitude on several others for a period of five years. But the offence was decidedly political. Two Fenian leaders—Colonel Kelly and Captain Deasy—came from America for the purpose of organising an insurrection in Ireland, and, failing in the attempt take refuge in Manchester, where, in the course of time, they fall into the hands of the police. Then a number of their followers—young Irishmen, patriotic and

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enthusiastic—conceive the idea of rescuing them, ignoring the fact that their bold design must be carried out in the light of day, and in the heart of a great English city; and while the prison van is passing near the bridge at Hyde Road, they sally out from behind the arches, seize the horses, and call for the surrender of their leaders. This demand being refused, they try to force open the door of the van, which they succeed in doing by firing a bullet into the lock, but, at at the same time, they unconsciously inflict a wound on Sergeant Brett inside, from the effects of which he dies. Now, this is, as well as I can recollect from the newspaper reports at the time, an accurate description of what took place; and it must be apparent to everyone that the men thus acting were animated solely by political motives. They were incited by a loyal devotion to their chiefs They remembered only that those chiefs had left their homes in America, and crossed 3,000 miles of sea to strike a blow for Irish independence; and so, in effecting the deliverance of their leaders, those Manchester Fenians were animated by motives as pure as those which induced Sergeant Brett to sacrifice his life rather than surrender the trust confided to him. If a similar daring exploit were perpetrated in Paris under the rule of Napoleon, in Madrid under Isabella, in Rome under the Pope, or in Warsaw under the rule of the Muscovite, the actors in it would not be called murderers, but heroes. The English Press would be loud in their praise, and would tell the world that courage and fidelity like theirs should be recorded on one of the brightest pages of history. With reference to Michael Davitt and John Wilson, the return issued by the Home Secretary states their offences to have been treason-felony, and describes it further as an attempt to levy war and depose the Queen. This return is, I presume, correct, and I should like to know on what grounds the right hon. gentleman considered himself entitled to say that treason-felony implies felony, but not treason, and that, therefore, it is not a political offence. If I consider for a moment the character of Mr. Davitt, I must exclude from my mind everything of a sordid or selfish nature. He is the only one of those on whose behalf I now plead with whom I have had any personal acquaintance, and, although he wears

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a felon's chain to-day, I am proud of that acquaintance. He was one of the most disinterested men I ever met—upright and honourable in every relation of life. I say he was, for the tomb could not more effectually separate him from life, and all that makes life worth having, than the prison in which he has been confined; and I say it is monstrous for a Government that professes to be based on the people's will, and to be supported too by the public opinion of a great empire, to condemn such a man to waste away the flower of his ripening manhood in the company of the burglars and garrotters a ndwife-murderers of England. And I must protest, not less earnestly than I do in the case of Michael Davitt, against the continued incarceration of John Wilson, an Englishman, who was convicted with Davitt for having sold firearms to him, although there was no evidence produced on the trial to show that Wilson had any knowledge of the use to which the arms were to be applied. And I must call the attention of the House to an incident in the trial of those two men, which will verify better than any amount of asseveration what I have been saying about Michael Davitt. When sentence of fifteen years penal servitude was passed on Davitt—a sentence which might have stricken terror into the heart of a really brave man—the judge proceeded to pass sentence on Wilson, but he was at once interrupted by Davitt, who said: "I declare to your Lordships on my word as a man, that this Englishman beside me is innocent. He never knew the purpose for which those arms were intended. He has a wife and a helpless family of young children depending upon him. I implore your Lordship to discharge him, and I shall cheerfully undergo his punishment in addition to my own." Now, this is the stamp of man the Home Secretary denounces as a common felon, to whom neither mercy nor generosity ought to be shown. Well, I trust that is not the opinion of the House of Commons. If it be, then I tell you, putting aside that mercy and that generosity which a magnanimous victor should never withhold from a fallen foe, Davitt has not been treated during his imprisonment even according to common justice. The laws of humanity, and I had almost said of nature, have been violated in his regard. He and some of his companions have

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been punished with a cruel and unnecessary severity. I have here two letters which would give the House some idea of the hardships of penal servitude, aggravated in the case of political prisoners, but I will not trouble the House by reading them at this late hour. The first is from a released prisoner, and is merely an introduction to the second, which Michael Davitt sent out shortly after the release of his companion. The right hon. gentleman may say that I am over credulous in accepting the statements contained in these letters as true, but that is exactly like what the Home Secretary's predecessor, the present Lord Aberdare, formerly Home Secretary, told my predecessor in the representation of Mayo, the late Mr. Moore, when he brought the case of O'Donovan Rossa under the notice of the House. Indeed, the right hon. gentleman's predecessor went further. He rose from that bench, and in the most emphatic manner denied the statement with reference to O'Donovan Rossa, namely, that he had been handcuffed with his hands behind his back for thirty-five days. Moreover, he became the medium, unconsciously to be sure, of circulating an atrocious calumny against the same O'Donovan Rossa, charging him with having attempted to carry on a surreptitious correspondence with another prisoner's wife outside for purposes of intrigue; and, although these assertions of the former Home Secretary were supported by all the prison authorities, from the lowest warder to the highest inspector, they were afterwards discovered to be false by a Commission of Inquiry appointed by this House. I will not conceal from hon. gentlemen the fact, that this Commission reported that as far as the general treatment of the Fenian prisoners was concerned, it was not unnecessarily severe, but this admission must be accompanied by one observation, and it is this, that all the prisoners, with the exception of O'Donovan Rossa, refused to appear before the Commissioners as witnesses, and so the inquiry was not complete. They refused because the Commissioners would not allow them to be represented and assisted by counsel, and O'Donovan Rossa only consented to appear as a witness in order to clear himself from the odious charge to which I have already referred; which he did to the complete satisfaction of the Commissioners, who complimented

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him on the manly frankness with which he had given his evidence. But if the Commissioners were satisfied with the general treatment of those prisoners they nevertheless convicted the prison authorities of the principal count in the indictment preferred against them by the *Irishman*, namely, the handcuffing of O'Donovan Rossa; and all the Commissioners, with one exception, recommended that some distinction in prison discipline should be made between political and ordinary convicts. I trust, Sir, I need not point out the relevancy of my remarks on the subject of prison treatment, for I wish to show that it has been very severe in the case of these prisoners; and I think the fact that they have been subject to it—some for five or six, and the greater number of them for a period of nine years—supplies in itself a sufficient reason why they should now be restored to liberty. There is a suspicion in the public mind in Ireland that discipline is still enforced with exceptional severity in the case of political prisoners, and I must say the manner in which the Government met my motion for returns last year was not calculated to allay those suspicions. If the right hon. gentleman tells me all is right now, I shall still think that he may be mistaken, as his predecessor was. I asked for permission to visit Michael Davitt during the recess, and although the prisoner had not had a visit from anyone since the date of his conviction five years before, the right hon. gentleman refused to allow me to visit him. How, then, am I to judge of the truth or falsehood of these statements made in the *Irishman*? Similar statements have been verified before. The presumption is, therefore, in favour of the truth. I do not know whether they are true or false, but if the letter I have read purporting to have come from Mr. Davitt be really his production, I know the man too well to doubt for one moment its veracity, and I feel it to be my duty, Sir, to protest against this system of prison torture, which is disgraceful to the name of England, which is opposed not alone to justice, but to sound policy and the practice of all civilised nations. But it will be said:—"Though you have shown the political nature of the offence for which the Manchester men are suffering imprisonment and that Davitt and Wilson are political prisoners, how will you be able to prove as much in favour of the military prisoners, the

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soldiers who broke their oaths and abandoned the standard of the Queen to enter the chamber of the conspirator?" Well, Sir, there is one convenient answer which I might properly give to this question, and it is simply that there are many distinguished precedents in English history for soldiers breaking their oaths when they believe that by doing so they may be able to serve their country. After the landing in England of the Prince of Orange, Churchill sat in council with King James at Whitehall, and there took an oath of fidelity to the Stuart dynasty; but history tells us that in twenty-four hours afterwards he was in the camp of William. My countrymen who sit opposite revere the "pious, glorious, and immortal" name of William, but I ask them did that Prince refuse the proffered services of Churchill because he was a soldier who had broken his oath? On the contrary, he embraced him with royal affection, and when the Revolution was accomplished, conferred upon him high distinctions as the reward of his treachery. And from the period of this Revolution so accomplished through the instrumentality of men like Churchill, who broke their oaths, we are accustomed to date the rising greatness of the British Constitution. Well, it is no unjust reflection on the rank-and-file of the British Army to say that it is principally recruited from that class of young men who, suffering from the pressure of hard circumstances, make a virtue of necessity by adopting "the soldier's glorious trade;" and of all those servants of the Crown whom we should expect to know the value of an oath the young army recruit is certainly the very last. As to the soldiers who are now imprisoned for their complicity with the Fenian organisation, the House should remember that they were but the instruments of the leaders of the movement, who have long since been liberated without danger to the peace of the United Kingdom or the integrity of the empire. Then, Sir, I object to the proposition that civilians are in any appreciable degree less bound to be loyal subjects than those who are in the military service of the Crown. The principle of allegiance is not founded in public office. It must spring from a higher source to be binding on the conscience of the subject. The highest authority in the House a few nights ago stated that it was not unconditional; and I maintain it is not

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unconditional in the case of soldiers any more than in the case of civilians. Mr. Smith O'Brien took the oath of allegiance at that table, but he violated that oath in raising an insurrection in Ireland. Yet, three years after his conviction for high treason he was pardoned, and allowed to return to Ireland. If I go beyond the range of our own history I shall find many examples of soldiers who broke their oath, and yet were held to be honourable men by the British Government. Did not Marshal Serrano and the military conspirators, who overturned the throne of Queen Isabella, break their oaths, and were they not afterwards recognised by you as fit and proper persons to take charge of the destinies of Spain? How, then, can you say that under no circumstances may a soldier break his oath? You may, indeed, urge that in the case of the military Fenians justifying circumstances were wanting, but that is a matter of opinion, and you have no right to denounce men as common felons because their opinions on that point happen to be different from yours. Notwithstanding the example of America, that proclaimed Amnesty to the leaders of the greatest rebellion recorded in history, notwithstanding the example afforded by the leading nations of Europe in the treatment of their political prisoners, you may still prefer to indulge national hate rather than exercise Christian generosity, and continue to punish your political offenders as ordinary criminals, but do not try to hide your shame under a mask of hypocrisy by telling the world that those are not political offenders whom you are punishing with exceptional severity, precisely because they bear that very political character which you pretend to ignore. Glancing at the return issued from the Home Office, I find that the first name on the list of military prisoners is Charles M'Carthy—Colour-Sergeant M'Carthy. He is undergoing a sentence of penal servitude for life, and I daresay the authorities look upon him as the very worst of these military offenders. Nevertheless, the personal character of the man destroys the notion that in joining the Fenian organisation he was actuated by any low or sordid motive. I maintain that his motives and the motives of his companions were purely political, and that their acts, therefore, were also political. With reference to

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Colour-Sergeant M'Carthy, we have testimony to his character coming from a quarter which, in this instance, must be held to be impartial. An hon. gentleman opposite—the Member for the County Donegal—stated last year that he knew Colour-Sergeant M'Carthy, and he described him as one of the most upright and one of the bravest men that ever wore the uniform of her Majesty. The hon. member stated further, I think, that several medals had been awarded to M'Carthy for heroic conduct in many engagements in which he bravely risked his life in the service of the Queen. Now, Sir, when you add to these considerations the fact that this man has been enduring penal servitude for the last nine years, is it too much to say that it would be a wise as well as a humane act on the part of her Majesty's Government to recommend him to the mercy of the Crown? Here in England you have a settled Government and Constitution under which your nation has grown rich and powerful, contented and happy, and you have naturally a holy horror of rebellion, or anything that would be calculated to produce a violent disturbance of the existing order of things. It is not so in Ireland, and I will tell you why it is not so. The people of that country have been too high-spirited to submit to your enforced rule, and hence, since the first Briton landed in Ireland, our history has been a history of violence—violent aggression on the part of the Government, violent resistance on the part of the people. You deprived us of our Government and Constitution, or rather prevented us from acquiring either, by means which the boldest amongst you would not dare to defend; and the Irish rebel can stand erect in the face of the world with the declaration of Plunket whom you made Lord Chancellor, with the declaration of Bushe whom you made Chief Justice, with the declaration of Saurin, whom you made Attorney-General, and with the declaration of Grattan whose remains you honoured by interment in Westminster Abbey. With these declarations in his hand, he can establish before the world his constitutional right to resist your unconstitutional usurpation. I need not remind the House that there has been an unanimous expression of opinion on the part of all classes in Ireland in favour of the release of these prisoners; and surely it was from no sympathy with ordinary crime that

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the Boards of Guardians and Town Councils petitioned for Amnesty; that the people assembled in hundreds of thousands and made peaceful demonstrations in favour of the same cause. A very large number of Members of Parliament waited on the Prime Minister last year on the same subject, and strongly urged the propriety of an amnesty to all political offenders. The Prime Minister did not then say, nor did the Home Secretary, in answering the hon. Member for Glasgow, say that there were no political prisoners. I really think this change of front is not very creditable on the part of the right hon. gentleman. I suppose he thought he had disposed of the matter the other day when he met my question with a very sharp answer; but he must now see that he put upon me the responsibility of showing that these men are political prisoners. I have also shown that the majesty of the law has been sufficiently vindicated in the case of these imprisoned men, who are simply the victims of a daring patriotism, which, if they were citizens of another land, would win them the esteem of the whole English nation. On the third of last month the Canadian House of Representatives passed by an overwhelming majority a motion in favour of amnesty introduced by the Prime Minister of the Dominion, and I ask are you not capable of equal generosity? Is the Parliament of the United Kingdom afraid to do what has been done by the newly-formed Parliament of Canada? And shall it be said that we have a Government which in its relations abroad cringes to Russia and America, and apologises to Bismarck, and at home trembles before a handful of Irish prisoners? If so, then I say your prestige in Europe is entirely gone. If you wish to preserve the few shreds of it that still remain, then I call upon you to pass this resolution, and to show me in one instance at least that you are willing to carry on the government of Ireland in accordance with the wishes of the Irish people.

HOUSE OF COMMONS.—August 1st, 1876.

Mr. O'Connor Power said:—

I beg leave, Sir, to move—"That, in the opinion of this

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House, the time has come when Her Majesty's gracious pardon may be advantageously extended to the prisoners, whether convicted before the civil tribunals or by court-martial, who are and have been for many years undergoing punishment for offences arising out of insurrectionary movements connected with Ireland." The subject of this resolution has particularly engaged the attention of many members of the House since the opening of the session, and I am, I believe, only endeavouring to fulfil an expectation which is general in submitting for the consideration of the House the motion which I have just read. The terms of the motion are substantially the same as those forming the declaration in favour of Amnesty to the Irish political prisoners, which has received the signature of 136 members of the House, excluding the names of the hon. member for Barnstaple and the hon. member for Blackburn, who claim to have signed the declaration under a misapprehension of its scope and meaning. It is not my intention to refer to a debate which took place on this subject recently; but I may be permitted to say that with respect to the different classes of prisoners whose liberation I have advocated I have never stood on ambiguous ground. I have from the first contended that all those mentioned in the return furnished by the right hon. gentleman at the head of the Home Department should be regarded as political prisoners. The observations that I addressed to the House last year were most distinct on this very point; and I trust, therefore, that the House will believe that I am not responsible for any misconception that may have arisen in the mind of any honourable member on the subject. Of the eighteen prisoners whose names are in the Home Secretary's return three have been liberated by the expiration of their terms of imprisonment; and while during the existence of the present Ministry not one political prisoner has been released by the clemency of the Crown, no less than six have been rescued in defiance of the authority of the Crown from the penal settlement of Western Australia. There are, however, twelve prisoners still in custody. I refer to the rescue in Australia because it appears to me to contradict very emphatically what the House has been told of the pleasant and prosperous state of life which it was alleged those prisoners were permitted to

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lead through the kindness and generosity of Her Majesty's Government. The prisoners themselves evidently did not share the cheerful view of their condition which the Prime Minister recently gave expression to, for they risked their lives in a bold attempt to escape, which, fortunately for them, was successful; and it is somewhat hard to believe that they would have risked so much if their situation in the colony had been so comfortable and delightful as it appeared to be in the glowing imagination of the right hon. gentleman. The attention of the Government has been repeatedly drawn to the case of Michael Davitt; but it has been urged against his release that there must have been some aggravating circumstance in his case, because the judge sentenced him to fifteen years penal servitude, while awarding only seven years to Wilson, who was tried for the same offence at the same time. Well, I do not find in the report of the trial any circumstances but those which ought to create for Davitt the greatest possible sympathy. The testimony of a perjured informer named Corydon was accepted against him, but an English jury could hardly have been acquainted with the character of that infamous witness, or they would have hesitated before convicting anyone on his evidence. The convictions of the political prisoners generally were obtained by similar evidence, and by a system of disgraceful jury-packing, which, I rejoice to say, Lord O'Hagan's Act will render impossible, or at least, very difficult in future. And, if I am adopting an unusual course in animadverting on the decisions of the judges, I shall, I trust, make it clear to the House that the character of these political trials fully warrants me in so doing. It will scarcely be credited that a police-officer was sent down from Dublin Castle to Clonmel for the purpose of entrapping the young men of the locality, and inducing them to join the conspiracy; but it is nevertheless the fact, which was brought to light in the progress of the trials. The operations of this Government official are almost too disgusting for recital. His name was Talbot. He was a member of the Protestant Church, but while engaged in the nominal duties of a water-bailiff in Clonmel no one was more conspicuous in attendance at Mass on the Sunday morning. He simulated Catholicism to the extent of partaking of the

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Communion at the Altar, thus crowning his hypocrisy by an act of unblushing sacrilege. Having thus wormed himself into the confidence of the peasantry, he succeeded in persuading them to join the conspiracy. Then he denounced them to the Government, and finally turned up against them in the dock to swear away their liberties or their lives. It was with the aid of creatures like this sacriligous and perjured wretch, Talbot, that Irish patriots were made felons and innocent victims of tyranny and misgovernment. It is difficult for quiet English gentlemen who have been accustomed to free institutions to realise the discreditable expedients to which the English Government in Ireland thinks proper to resort in order to maintain its rule over an unwilling nation. Mr. Thorpe Porter, in his "Recollections of a Police Magistrate," a book published last year, says that the Crown prosecutor in Dublin used to have a class in which he regularly exercised the informers in the art of giving evidence and withstanding cross-examination. They were carefully drilled for the witness-box; and if a link was missing in the chain of testimony, they were taught how to forge it from imaginary materials. These are facts, Sir, which I had hoped the Government would have relieved me from the necessity of re-publishing here, but the Government is inexorable towards the imprisoned Irish patriots; and as they cannot speak for themselves, simple justice requires that these facts should be brought forward again. They speak loudly on behalf of the political prisoners, and are undoubtedly an instructive commentary on the condition and character of imperial rule in Ireland. Now, with reference to Davitt, it is right to remind the House again that the judge before whom he was tried here in London bore testimony to the uprightness of character which he exhibited during the progress of the trial. Davitt offered to bear, in addition to his own sentence, the punishment that was to be awarded to an associate of his whom he declared to be perfectly innocent; but I trust that when the question of the release of those prisoners comes again for consideration before the Cabinet, Davitt's action in this respect will not be regarded as an aggravating circumstance, which should justify his further imprisonment. Besides Davitt, there are still in prison two of the men who

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were convicted of having been concerned in the rescue of Colonel Kelly and Captain Deasy at Manchester, and six soldiers convicted for breaches of the articles of war are still in custody. Now, with respect to these Manchester men, I deny point blank that they are guilty of murder. They did not take life. They did not attempt to take life. They did not even contemplate the taking of life. The truth is that, at a time of panic, a technical point of law was strained against them, and a terrified Manchester jury sacrificed them to political prejudice and national excitement, and convicted them on evidence of the flimsiest description. I ask for the release of those prisoners because the law has been more than sufficiently vindicated in the case of the shooting of Sergeant Brett. For the death of that one man, three Irishmen suffered the last penalty of the law on the scaffold at Manchester, and seven others underwent five years' penal servitude each to satisfy the demands of offended authority. I submit, therefore, that further punishment on account of the shooting of Brett will not increase respect for the law, but rather produce the belief that there is a vindictive spirit in its administration. With reference to the soldiers, some of whom have been in prison for the last ten years, I went at some length into their cases last year. I showed how they were but a portion of the rank and file of the confederacy detained, although their leaders were, some years ago, set at liberty. They believed that the obligations of patriotism were more binding than the obligations of a military oath, and they did what some of the great historical characters whom England delights to honour had done before under similar circumstances, they disregarded their oaths and entered what they believed to be the service of their country, determined to sacrifice their lives if necessary in her emancipation. You may denounce their conduct as illegal and revolutionary, but there is nothing sordid or mean about it. It is conduct such as you are accustomed to applaud in foreign countries, and which you regard as courageous, magnanimous and disinterested everywhere but in Ireland. The treatment to which those prisoners have been subjected is a matter which ought largely to influence the House in favour of their release. England stands alone among civilised nations in

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upholding the cruel practice of treating political prisoners like ordinary offenders. Notwithstanding the recommendation of the Commission appointed by the Government in 1870, no steps have been taken to remove the political prisoners from contact with the horrible ruffians who constitute the main population of convict prisons. I don't intend to go as fully into this subject to-night as its importance demands, but I now promise the Home Secretary that unless he vouchsafes some assurance of improvement in the mode of carrying out the punishment of political prisoners, I shall, on a future day, bring the question formally before the House. I will now venture to read a brief correspondence which has passed between the right hon. gentleman and myself on the subject, because this correspondence and a few remarks upon it will put the matter in the fairest light between us. I opened the correspondence with the following letter:—

"*House of Commons*,
"May 22, 1876.

"Sir,—In the remarks which I made on the question of Amnesty in the House of Commons, this afternoon, I stated that it was my intention to give Her Majesty's Government an opportunity of allowing the nature of the punishment inflicted on the Fenian prisoners to be investigated by a member of this House, and accordingly I respectfully request that you will be so good as to favour me with an order entitling me to visit those of the aforesaid prisoners who are incarcerated in prisons of the United Kingdom.

"I have the honour to be,
"Your obedient servant,
"John O'Connor Power.

"To the Right Hon. R. A. Cross, M.P."

I received the following reply:—

"*Whitehall*,
"26th May, 1876.

"Sir,—With reference to the request contained in your

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letter of the 22nd instant, I am directed by Mr. Secretary Cross to acquaint you that considering that a very full enquiry was held in the year 1871 by a Commission, appointed by the Government, into the state and mode of treatment of the Fenian prisoners in the convict prisons, and that all the prisoners now in custody had then ample opportunity of making and proving any statement they chose to make, and in the absence of any reasons given by you to show that it is desirable that the nature of the punishment inflicted on the same prisoners should now be investigated by a Member of the House of Commons, the Secretary of State regrets that he cannot comply with your request that he would favour you with an order to visit such prisoners.

"I am, Sir,

"Your obedient servant,

"A. F. O. LIDDELL.

"John O'Connor Power, Esq., M.P."

I sent to the right hon. gentleman this reply:—

"*House of Commons*,

"June 1st, 1876.

"SIR,—I received this morning, on my return to the House of Commons from Ireland, your letter of the 26th of last month, in reply to mine of the 22nd of same, in which you say that you cannot comply with my request to be allowed to investigate the nature of the punishment inflicted on the Fenian prisoners on the ground that a very full enquiry was held in the year 1871 by a Commission appointed by the Government into the state and mode of treatment of the Fenian prisoners in the convict prisons, and that all the prisoners now in custody had then ample opportunity of making and proving any statement they chose to make, and because of the absence of any reasons given by me to show that the nature of the punishment inflicted on the same prisoners should now be investigated by a member of the House of Commons. With reference to the last point, permit me to say that I abstained from giving reasons why the investigation I

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requested your permission to make should be entered upon solely because I thought that from the frequent discussions which have taken place in the House of Commons on the subject of the treatment of those prisoners, the principal reasons on which my request was based would be obvious to you.

First. The enquiry to which you refer, and which took place in 1870, not 1871, did not receive public confidence, nor has its report given satisfaction to those most interested in the condition of the prisoners, because the Commissioners would not allow the prisoners to be assisted by counsel in the preparation of statements which the latter were anxious to make, and consequently only a few of the prisoners consented to be examined.

"Secondly. The Commissioners, in the concluding paragraph of their report recommended that political prisoners should be removed from contact with ordinary offenders, but their recommendation has not, I believe, been acted upon by Her Majesty's Government: and

"Thirdly. Statements have been made in the public papers since the date of the enquiry to the effect that the prisoners Michael Davitt and Thomas Chambers and others have again been treated with undue severity.

"For these reasons I venture to express a hope that you will consider it consistent with your duty to grant me the order to visit those prisoners, as requested in my letter of the 22nd ultimo.

"I have the honour to be, Sir,
"Your obedient servant,
"JOHN O'CONNOR POWER.

"To the Right Hon. R. A. Cross, M.P."

Now, I invite the attention of the House particularly to the reply which I received to that letter. It is as follows:—

"*Whitehall*,
"10th June, 1876.

"SIR,—I am directed by Mr. Secretary Cross to acknowledge the receipt of your letter of the 1st instant, respecting your desire to visit the Fenian prisoners in convict prisons

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in England. In reply, I am to acquaint you that the Secretary of State adheres to his former decision.

"If the convicts desire to have a visit from you, they can be permitted to see you at the regular times when they are permitted to receive visitors by signifying to the governor of the prison their wish that you should visit them.

"I am, Sir,

"Your obedient servant,

"GODFREY LUSHINGTON.

"John O'Connor Power, Esq., M.P."

I need not say that on receiving that letter I determined not to prolong the correspondence with the right hon. gentleman. He was pleased to ignore the reasons for desiring to visit the prisoners, which I gave in my second letter, and the absence of which in my first he complained of. He took no note whatever of my statement respecting the unsatisfactory nature of the enquiry, which was anticipated by the hon. and learned member for Limerick in the letters he addressed to the Commissioners, and which we have embodied in the report, nor did he deign to notice my reference to the recommendation of the Commission that there should be separate treatment for political prisoners; and the fact that grave accusations against the prison authorities have been made in the public press on account of acts done by them since the date of the enquiry seems to have no disturbing influence on the conscience of the right hon. gentleman, for he passes it over in complete silence. He concludes his last letter, however, with the gratuitous remark, that I can see the prisoners at the regular times if they signify to the governor their wish that I should visit them. Now, the right hon. gentleman knows very well that for the purpose of an investigation into their treatment I might as well attempt to hold a conversation with the man in the moon as with one of those prisoners at what is called a regular visit, because the *regula* of the prison, the rule prohibits the prisoners from saying one word on the subject of their treatment. Sir, I would rather believe that the right hon. gentleman never saw that second letter which I have received in his name, and that the writer, Mr. Godfrey ushington, is alone responsible for penning the most absurd

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production it has ever been my lot to read. The nature of the punishment that has hitherto been inflicted on political prisoners, and how far it may be altered in accordance with the instincts of civilisation, and the dictates of humanity, is a subject that will be sure to come up for consideration at a future time. I will, therefore, merely add on that part of the question that the right hon. gentleman cannot rely with unbounded confidence on the testimony of the prison authorities. His predecessor, Lord Aberdare, made one or two serious mistakes by so doing. The prison authorities will take care to hide as far as possible their own misdeeds from the public eye, and from what I have heard from some of the released prisoners, gentlemen of unquestioned honour and veracity, like Mr. Charles Kickham, with whom I have quite recently had the advantage of discussing this question, I believe that some of the prison officials, excited by national prejudice, have omitted no safe opportunity to prosecute and insult their Irish victims. Looking at all the circumstances of the case, which I have again submitted to the House, there is no doubt on my mind that the policy of the Government in refusing to release the Irish state prisoners is a very unwise policy. I believe that England has far more to lose than to gain by the further incarceration of those men. It reflects no honour on the Government of the Empire that while you were declaring here that public safety demanded the retention of the Fenian prisoners, an expedition should have made its way to Western Australia, and have torn from the strongest prison six of the men whom you most desired to keep in the gaolers' grasp. What has happened lately in Western Australia is the fruit of the policy pursued by the Tory party since its accession to power. You have not had the heart to liberate even one political prisoner. You have not mitigated by the remission of one hour the sentence which the offended law imposed on your fallen foes. You have not passed one measure calculated in the slightest degree to promote the prosperity of the people of Ireland, whom your misgovernment has impoverished. No! On the contrary you have resisted the appeal for amnesty made by one hundred and thirty-eight members of this House, and closed faster the prison doors. You have

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sternly objected to allow a Member of this House to look inside the prison walls, lest the cruelties practised on Irish prisoners should be revealed to the world. You have rejected with scorn and without argument every beneficial measure proposed for Ireland, and the result of your policy, utterly defeating our constitutional efforts, has been to call the spirit of Fenianism in America from the tomb to which you thought you had for ever consigned it. Where in the practice of any civilised nation can you find precedent, or justification, or excuse for your present conduct towards Ireland. I look everywhere in vain for a precedent, except in the traditions of the Tory party. But how is your policy to proceed, and where is it to end? You are fomenting a hostile spirit in the breasts of millions beyond the Atlantic. Whenever an Irish Bill is unjustly thrown out of this House the fact is noted by the Irish-American papers, and commented upon in a manner well calculated to excite strong feelings among persons many of whom have felt the rod of oppression themselves, and all of whom most warmly sympathise with their kinsfolk in Ireland. You are prepared, I suppose, to meet all this with the resources of the Secret Service Fund; you will send the spy and the informer on the track of your enemies in America as you have done in Ireland; but you cannot take the rifle out of a single Irish hand in the American continent. The millions of Irish there are beyond the reach of your power. I have been amongst them, and I know how they are animated by the glorious passion of patriotism. I am not delivering a menace, but expressing my solemn conviction, when I say that unless you adopt and carry out a policy of conciliation and complete justice to Ireland you will be responsible for invoking a spirit and erecting a power among the exiled Irish race that may yet lay the empire of England in the dust

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HOUSE OF COMMONS.

JUNE 5TH, 1877.

Mr. O'CONNOR POWER moved the following amendment:—

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"That, in the opinion of this House, no legislation dealing with the management and discipline of prisons can be satisfactory or complete which does not extend to convict establishments." Mr. Power supported his amendment in the following speech. He said—Mr. Speaker, it has been my duty in every session of the present Parliament to endeavour to call the attention of the House to the hardships endured by a particular class of prisoners undergoing confinement in Her Majesty's prisons, but I do not recollect that any opportunity so favourable as the present has heretofore presented itself of placing before the House anything like a complete statement on this very important subject. After the many representations made to Her Majesty's Government with reference to the cruel and unnecessary punishments inflicted on political prisoners in various prisons in Ireland and England during the last eleven or twelve years, it might justly have been expected that any legislation which Ministers submitted to the House would contain ample provisions against practices so revolting to justice and humanity. What do we find? I have carefully examined the Prisons' Bill for England, and the Prisons' Bill for Ireland, and it seems to me that in the construction of those Bills the Government never gave a thought to the complaints of prison treatment so frequently made to them by honourable members in this House, and in resolutions forwarded to them from large public meetings held in every considerable town and city in Great Britain and Ireland. Now, in order to show clearly the incomplete and unsatisfactory character of the present Bill, I must speak at some length. I am here to accuse Her Majesty's Government, in direct and explicit terms, of being the upholders of a system of prison discipline under which cruel and barbarous punishments have been inflicted, are now being inflicted, and may at any time be inflicted, so long as the present system is maintained. It must be remembered that during the recent Fenian excitement thousands of men were incarcerated in the various prisons in Ireland for periods ranging from three months to two years—I speak now of prisoners who were never brought to trial, and consequently never convicted—I shall come to the convicts later on—and many of those prisoners, confined without an appeal

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to either judge or jury, were tortured to death or driven to madness by the barbarous treatment they received. If honourable gentlemen suspect me of exaggeration, I have only to remind them that, in the session of 1874, I moved for returns bearing upon this subject, to be supplied, of course, from official sources, and the right hon. gentleman, the Home Secretary, refused to grant them, thereby withholding from the House official information on a subject of great national importance, and cloaking with the authority of his position the outrages that were committed by brutal jailors and condoned and connived at by Government inspectors. Before proceeding further I will ask leave to read to the House some official testimony on the subject. In 1867, Dr. Robert M'Donnell, the medical superintendent of Mountjoy Convict Prison, furnished a report to the directors, in which he says:—

"As a Bill to continue the Habeas Corpus Suspension Act for three months longer has just passed through the House of Commons, and as this will probably lead to the detention in prison of some individuals already a long time in confinement, I think it right to again draw attention to a subject concerning which I already forwarded a report on January 15, viz., the state of health, mental and bodily, of those untried prisoners who have been in custody for many months. The untried prisoners committed to this prison during the last twelve months have undergone a discipline in some respects more stringent than the convict during the eight months of his probationary period. They (the untried prisoners) are kept confined by themselves all day long, except when at exercise or religious service. At these times they are not allowed to converse or communicate with each other. They have not, as the convict has, the comparative recreation of school, and, except in special cases, they have not the relaxation of intercourse with others in the wards of the hospital during illness. So strict a cellular discipline as this, when prolonged for many months, becomes very trying to the bodily as well as the mental health. Not a few of these untried prisoners have become greatly altered in their appearance since their

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> arrival here; although they have no tangible disease, although I cannot state that life is in danger, yet anyone can perceive that they are emaciated and worn-looking, and their muscles are soft and flabby; some have shown unmistakable signs of mental disturbances; the Roman Catholic chaplain has drawn my attention to several such cases, which have been made the subject of special reports. The lengthened period of their confinement makes the case of these prisoners unlike that of ordinary untried prisoners awaiting trial. In my former report (which, I regret to say, has not led to any modification of the discipline) I stated that there were then fifty-three untried prisoners here who had been in confinement for eight months or upwards. One individual (Sweeney) concerning whom I made a special report, has been sixteen months subject to the discipline above mentioned. I must recommend, on medical grounds, that some relaxation of this discipline be introduced."

I respectfully but earnestly ask the House to note the points of this extract. Dr. M'Donnell says,—First, the untried prisoners underwent a discipline more stringent than that to which convicts are subjected. Men accused of no crime, men arrested merely on suspicion, or on the purchased testimony of a private informer, whose treachery had, perhaps, the double motive of a desire for money and a desire to gratify personal malice, or jealousy or dislike are treated in some respects with the rigours of convict discipline, as if they were the lowest burglars, garrotters, or wife-murderers that ever violated public and private morality, or shocked civilisation by their barbarous crimes. Secondly, Dr. M'Donnell says they were kept confined by themselves all day long, and even at exercise were not allowed to converse or communicate with each other. Consider the magnitude of this cruelty and injustice—innocent men condemned to a state of perpetual solitary confinement! And this was done by the Irish Government under both the Liberal and Conservative Administrations. The shadow of this great wrong rests alike on both parties in this House, and the time has now come when both should unite to remove it by just and humane

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legislation. Some correspondence on the treatment of political prisoners appeared recently in *The Times*, and the leading journal said very justly that the statements made on the subject could not be read "without a keen sense of indignation." But it is a remarkable illustration of the indifference to Irish affairs felt by the press and public of Great Britain that *The Times* of a recent date treated these statements as if they were only then made for the first time. Why, Sir, when these punishments which the prison doctor described as destructive to body and mind were being inflicted the Irish papers repeatedly called upon the Government for redress. This rigorous imprisonment was exposed and denounced at numerous public meetings held in the large cities and attended by the most peaceable and respectable classes of the population, who came in their tens of thousands. But the public opinion of Ireland on this question was treated in a tone of alternate scorn and contempt. The tears of heart-broken wives, and mothers, and children, whose husbands, sons, and fathers were slowly but surely dying under the torture of solitary confinement, were shed in vain. In vain did the cry of their bitter anguish seek to penetrate the deaf ear of the Viceroy in Dublin Castle, or touch the springs of sympathy in the hearts of her Majesty's Ministers. Now, I submit to the House that the Government is bound to take one of two courses in reference to this question—either to justify the perpetration of horrible outrages on political opponents on the atrocious principle that the end justifies the means, or to propose such legislation as shall, in the language of *The Times*, render it impossible for the future. When Mr. O'Donovan Rossa and his companions were in prison we should never have heard of the illegal and shocking treatment they received but for information brought out from prison surreptitiously by discharged prisoners, and by other means, devised, no doubt, at great peril to all concerned. Some of the national journals had the courage to publish this information, which, in the course of time, led to inquiry, and from inquiry to the partial liberation of the political prisoners, an act which the half-hearted and short-sighted policy of the right hon. gentleman the member for Greenwich deprived of that character of enlightened statesmanship which would

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undoubtedly attach to a full and complete amnesty. Some letters which were written twelve months since, and brought out from Dartmoor Prison by discharged prisoners, have been placed in my hands, from which I shall read extracts to the House. The writers know very well the consequences that may follow the announcement of their violation of the prison rules, but their patience is exhausted. They contend, with reason, that, as the authorities have violated the rules in treating them worse than ordinary criminals, they are justified in disregarding the rules for the purpose of self-defence, and they have, therefore, sent out word that I am at liberty to make what use I think proper of the letters, copies of which I now hold in my hands. Mr. Michael Davitt, a prisoner who was convicted of treason-felony, and has been in penal servitude for the last seven years, thus writes:—

"A sudden change here in their conduct towards me leads me to expect the worst. For the past three years I have complied with the prison rules in almost every respect—no charge having been brought against me for any breach thereof—yet now, within the past few days, I am commanded to "sir" a low, ignorant fellow, under whose charge I am placed for only a few minutes each day—notwithstanding the fact that I have not changed in the least in my conduct towards him since he took charge of the gang I am attached to. As the prison rules only require me "to be civil and respectful to officers at all times," and as no charge of my not having been so has been preferred against me, either by this cowardly scoundrel or by any other during the past three years, my being asked now to use supernumerary epithets of "respect" seems as if a plot was got up for the purpose of doing me some serious injury. The governor threatened that if I did not comply with this fellow's request he would have to punish me. I told him I would on no account do any such thing.

I shall stop but as little as possible to comment on these extracts. They speak for themselves. In a fragment of a letter Mr. Davitt says:—

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"I have asked the present governor and the visiting director, to put me to some other labour, but have been refused by both. In warm weather stone breaking is not a bad job, as the phrase goes, but in winter!—I am at work in the large open yard, admitted by all to be the very coldest spot in the prison. Now, as to the location of my cell. Seven feet long by four broad, iron sides, slate roof, directly opposite the water closet, ten or twelve feet distant, where the human soil from two wards (eighty-four men) is kept in tubs (not allowed to be washed away, mind) so as to be preserved for manure. From Saturday morning until Monday they are not emptied. I asked the principal warder in charge of the prison to remove me a little higher up the ward, but no change—although there was an empty cell. . . . I forgot to tell you that Chambers and I got for once on the same ward, and when Sunday came we were not allowed to walk together. No two thieves would be punished in this manner. We saw the governor and director, and requested this small boon. It was not granted. The present governor said to be, "I will have no argument on the point. I will on no account allow you to exercise together."

Mr. Davitt then goes on to say,—

"I told you in a note at Easter that I anticipated getting into trouble. I have since been reported for not answering my name in a proper manner—for not saying 'sir' to the assistant warder in charge of the party I am attached to. I had hitherto answered 'here,' in a respectful manner, and no objection had been made, even by this officer. On being ordered to answer 'sir' I refused, believing the order was given then to entrap me. I received two days' bread and water, and, on refusing again, two more. I then complied, as my health had suffered much from five days spent in punishment cells. Poor Chambers, too has just finished three days' punishment for 'insolence' also. Having been checked for talking, he made some reply, and had to experience the consequence of speaking the truth when falsely accused, or denying an exaggerated offence.

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I am simply giving you these instances to show how political offenders are treated—namely, worse than the common malefactors they have to associate with. While I was undergoing punishment Chambers, believing they intended foul play, made application to see Mr. Butt. He was told that convicts were not allowed to see members of Parliament."

Writing again, Mr. Davitt says,—

"On each of three occasions I was due for a visit, and was refused, contrary to the rules of the prison, and no reasons given for the refusal. If you do not come," he goes on to say, "I will not be allowed even to hint a word anent my treatment. I will not be permitted to make any complaints whatever, and must confine my remarks to family affairs. I will now, however, supply you with facts which will show beyond a doubt that I have been systematically worse treated than a thief would be, and contrary to the rules of the prison. But of one thing you must be warned. It is this: There is not one prison official, from the visiting director to the lowest of the crowd that will not lie to save themselves from blame or exposure. When I arrived here first, in May, '71, I was put to stone-breaking in a shed, and therefore under cover. When winter came I was put —along with other invalids, I admit—outside at the same work, and kept outside all that winter. When the warm weather came round again (April, May, June, '72) I was put to work in a low shed, which flanks the side of a great cesspool of the prison where the human soil is preserved for manure. My employment was bone-breaking, for manure purposes also. The putrid bones and the stench from the manure can only be imagined. To diversify the work, we were occasionally put to the mixing of manure. I applied to the governor to be changed to some other work, but was refused. I may add that any ordinary prisoner, well conducted, will be removed, on application to the governor; but I have always been refused. A subject I have not touched upon in my former notes ought not to be lost sight of in a review of our posi-

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tion and treatment. In my letters to my mother I have invariably spoken of my health as favourably as I could in order to quiet her apprehensions on that subject. You will not be much surprised when I tell you that I am not in that state of health which she has been led to believe me to be. Six years of prison diet, while subject to the intense cold of so many winters, has made sad havoc on my constitution. I suffer much during our long winters from catarrh and incessant spitting of phlegm, which must inevitably end in lung disease. Palpitation of the heart is another 'pleasant' symptom, which warns me of internal decay. Almost one-half of the one thousand prisoners here complain of these two diseases. The climate is so severe, and the food so abominably bad and filthy, that the wonder is how men can bear up against two of the greatest hardships of life—cold and hunger. I still wear that ruddy complexion which inexperienced people accept as an indication of sound health, but which often accompanies people suffering from heart disease. When I speak of the food as bad and filthy, I mean to describe it relatively to what it is in other prisons. We are now regaled with potatoes which surrounding farmers supply to the prison each year, when they have become unfit for pigs to eat, which means the loss of a pound of food each day, by men who are kept at the point of semi-starvation all the year round. In other prisons some healthy equivalent is substituted for bad potatoes during the summer months, but not here until these rotten potatoes can no longer be purchased—then for three or four weeks we are put on the same regimen as that of other prisons. The isolated position of this place enables the officials to practise dishonestly in dietary matters, as well in quantity as in quality. Visitors who come to see this establishment, where thieves receive daily lessons in their own trade, are shown the cook-house where the officers' food, and ours also, is prepared, and are allowed to go away with the impression that this officers' food is for the prisoners, and they never see the bad carrots, rotten potatoes, and putrid shins of beef, with which our soup is made. When a man dies here, either by induced disease, or from excessive punishment on starvation diet, a jury is

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composed of persons who are almost all connected in some way or other with the prison, and come to the very convenient decision that 'death resulted from natural causes.' It is always the same jury, men living outside the prison walls. I have reason to believe that no account of these inquests appears in any newspaper, although required, I believe, by rule. Three or four men were killed here during some building operations a few years ago, through neglect on the part of ignorant warders—verdicts of accidental death covered all. Chambers suffers very much from chronic rheumatism, and is in hospital some time each year. While there last year he received only ten ounces of food each day, during sixteen days. When he asked for more, he was declared to be cured, and turned out. I heard from a prisoner who came from Chatham some eighteen months ago, that M'Carthy was then in hospital from consumption and that young O'Brien was undergoing some frightful and inhuman punishment."

In the foregoing statement I have exaggerated nothing, but omitted a multitude of facts which would occupy too much space and time. Now, Mr. Speaker, Mr. Davitt has alluded to the fact that the prisoner, Sergeant M'Carthy, was suffering from consumption, or some disease of that kind. I recall this allusion of Mr. Davitt's because it serves to corroborate a letter which has come from Sergeant M'Carthy, and which, I think I ought at this point to read. The affliction of a wasting disease under which M'Carthy labours, so far from being a protection against insult and cruelty, is, he sincerely believes, the very reason why, at this particular time, he is subjected to them. M'Carthy's letter is as follows:—

"*Chatham, April*, 1877.

"Dear Sir,—I hope you will excuse this surreptitious mode of communicating with you. My reason for asking you to apply for a Parliamentary enquiry into our treatment is that really our condition here is becoming desperate. We are subjected to such systematic annoyances that if they are allowed to go on they can only have one ending—namely, death. The melancholy conclusion has forced itself upon us that nothing less than our lives are aimed

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at, and that, too, in a cowardly, assassin-like manner. And it is a significant fact that this prosecution dates only from the time that the governor of this prison became aware that I was suffering acutely from heart disease, a disease that continual worry will aggravate more than anything else. To enter here into a detail of our daily suffering is more than I can do; suffice it to say that if they were not intolerable we would not complain. I at first thought about sending a statement of our sufferings to the right hon. the Secretary of State to beg of him to institute a private investigation, for I am firmly convinced that no gentleman would treat, or allow me to be treated, with such heartless cruelty; but on consideration I became fully persuaded that such a letter would not be allowed to reach its destination, and that it might produce a crisis that would terminate my existence. Our compatriots, who were in Portland, will be able to form some notion of what we have to endure when I tell them that the person they recollect as deputy-governor (Farquharson) has been governor of this establishment for the last three years. I again hope that the circumstances will excuse this clandestine communication.

"Your affectionate kinsman,
"E. N. M'Carthy.

"Items.—No. 1. Owing to the declining state of my health the medical officer, about two years ago, made application for my removal to the invalid establishment at Woking, and, in reply, the following question was asked of him:—'Can you, in your capacity of medical officer, certify that any further detention at Chatham will cause death?' Of course the correspondence at once terminated.

"2.—During the winter of '75-6—ever to be remembered for its severity—I was stripped quite naked at least twice a week, and on each occasion I had to stand on cold flags for about five minutes in a state of perfect nudity while the officers were feeling the seams of my shirt and flannel.

"3.—Returning from labour one evening in the latter end of April I found a placard over my cell door—'S. 31 c., M'Carthy to be specially watched.' From that

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day until the present I have had no peace either day or night.

"4.—An officer is appointed to visit our cells every afternoon, and throw everything in them about in the greatest possible confusion, bedding, cell furniture, book, cleaning rags, all are thrown into the greatest possible confusion. This is a most vexatious annoyance. It is one of the diabolic methods that are resorted to here when it is intended to goad men into the commission of self-destruction. In fact, it is the greatest punishment that can be inflicted on a prisoner. It is only about eighteen months ago that one man hanged himself, another stole in a rope off the works to do the same, and two others cut their veins through being subjected to this ordeal for only one week, and we have endured it now for one year. Since the 22nd of May, '76, I have been stripped seventy-three times, and the contents of my cell have been dealt with as stated above 438 times."

In the *Irishman* of April 21st, 1877, a letter appears giving an account of a visit which had been paid to Sergeant M'Carthy, in which the following passage occurs:—

"Seeing the wretched condition in which he appeared, the visitors asked whether he had any complaint to make in reference to his treatment. His reply was:—'The rules under which I am visited preclude any complaint being made in reference to my treatment in this establishment. I have plenty of complaints to make if a proper tribunal be appointed to receive them. On this subject I addressed a message to Mr. Shaw, M.P., but have received no reply to present time.' The warder here interposed in a surly tone—'Talking about M.P.'s is not about family matters. Let us have no more of it.'"

I saw another letter which appeared originally, I believe, in the *Freeman's Journal* last October, in which the writer says:—

"For an attempt to pick a hole through his cell wall,

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O'Brien was kept in a dark cell for some six months in chains."

I will venture to read a few passages from another letter sent out by Mr. Davitt, in which he says:—

"Since you heard from me last my position here, and that of Chambers also, has been rendered even more unendurable than it was. We are now under special surveillance—located in penal cells—and without being charged with any breach of rule, are, in every particular punishment (diet excepted) treated as prison-breakers. Chambers wrote to Mr. Collins, requesting a visit from him, but the letter would not be sent. He was plainly told that he 'would not be allowed to see that person.' I told you so at the outset, nor will they allow any person to visit either of us; yet the Secretary of State, in the last debate on Mr. O'Connor Power's motion, said the prisoners were suffering no undue hardship. I leave you to judge from what I have communicated at different times how correct he was in making such a statement. His having to depend for information on prison officials accounts for his ignorance of how we have been treated, for this class of people will lie as unblushingly as the thieves whom their example has rendered irreformable. Mr. Cross, in the same speech, tried to make my own case as black as exaggeration would allow, but was silent, of course, upon Corydon's perjury by which alone I was convicted. Corporal Chambers, for five months during which he was in custody before trial, was treated far worse than a convict. I make every allowance for the prejudice of the members of the court-martial in daily expectation of Fenian disturbances, but having found him guilty of treason, why not shoot him? It would have been mercy itself compared with sending him to herd with the common thief and murderer. Perhaps a living example is required. Therefore, my poor comrades, the military men were not included in the amnesty five-and-a-half years ago, though the leaders of Fenianism and men who had borne arms against the Government in '67 were. Well, if they are intended as an

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example to their countrymen in the army, they may also serve as an example to their countrymen out of the army when England wants Irish soldiers again. 'Imprisonment for the term of his natural life,' signed by her most gracious Majesty, so ran his sentence, and he was removed from the Irish jails, where there is some humanity, to the English jails where humanity and the Ten Commandments are set aside by the 'Abstract of Prison Rules.' Those rules, ambiguous and elastic as they are, are stretched and tortured in every way in order to inflict extra punishments on us, or deprive us of the few privileges granted to the ordinary convict. On the 4th of June, 1868, he was told by the director that the Secretary of State had ordered him to be treated with greater severity than an ordinary prisoner. This order is still in force, although he has several times petitioned the Secretary of State about the injustice of it, and begged for an inquiry. He has always received 'no grounds' for an answer. Nor would they produce him before the Enquiry Commission in 1870. Nor is he allowed a visit, although he applies within the rules. The last quibble is that he must give proof that those whom he applies to see, and who apply to see him are blood relatives. Not a word about proof is mentioned to the thieves when they ask for a visit. He has very little better fortune with his letters. Thus every possible means are taken to prevent us from exposing the horrors of the last ten years. The prison regulations say that the authorities are to instil into the minds of convicts 'sound, moral, and religious principles' —very nice to read, but if the authorities have neither moral nor religious principles themselves, how then? In June or July, 1868, Chambers received 'no grounds' as an answer to a petition that he had sent to the Secretary of State, begging to be allowed to attend to his religious obligations, a privilege of which he was deprived by a 'moral and religious' director for six months. At present he is daily driven in and out of chapel by officers, brandishing bludgeons, and shouting like cattle-drovers—even in chapel he is not quite free from their rudeness. Dozens of times those officers have stripped him naked in presence of thieves, and subjected him to insults too disgusting to

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describe. He is made open his clothes five times a day while an officer feels over his body. He has been several times separated from other political prisoners—although our being together was within the rules—and forced to associate with picked ruffians. He has been for six months in constant contact with lunatics. He has been forced to mop out filthy dens of dirt with a small piece of a rag, to carry a portable water-closet on the public road and across the fields for the use of common malefactors. He has often been sick, but, except on a few occasions, was not taken to hospital. On one occasion he was sent to the dungeons for applying for relief after he had met with a severe hurt by falling from the gangway of a building. Last year, while laid up with rheumatism, they kept him sixteen days on ten ounces of food daily, two months on half diet, and then put him out of hospital far worse than when he was taken in. He is weekly forced to act as charwoman to a lot of very dirty creatures. He has had punishment diet (sixteen ounces of bread and water), penal class diet, and dungeons—dark, cold, wet, and dirty—in abundance. A smile, a movement of the lips—aye, even a glance of the eye—is often condemned as a crime in Dartmoor. We have been frequently insulted by thieves, and even struck by them. Chambers has been held by a jailor while another jailor was ill-using him. Worthy sons of worthy sires, who shot down the poor prisoners of war here! Their scattered bones were collected lately, and 'Tis good to die for one's country' written over them. When Chamber's sentence of imprisonment for the term of his natural life is brought to a close by unnatural means, the jailors will write 'No 36, Felon Chambers' over him. No fine epitaph shall mark his murdered bones. Nevertheless, the only difference between the French and American prisoners and him is, that while they were shot down, he will be slowly tortured to death."

After the production of such evidence of cruelty practised by Englishmen it is time that the conscience of the English nation was stirred on this question. The agitation with reference to the Bulgarian atrocities which

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swept over England last autumn, whatever may have been the motive of its promoters, proved that the masses of the English people have hearts that can be moved to generous sympathy with suffering humanity. I honour their righteous indignation on behalf of the oppressed Christians in Turkey. But while they deplore wrongs which it seems they are powerless to redress, I would ask them to rise above their anti-Irish prejudice, to look into the cell of the Irish political prisoner, where they will behold human suffering that it is in their power to remove—suffering for which their own Government is responsible, and the mere mention of which should bring the blush of shame to every English brow. Whatever may be the reply of the right hon. gentleman or the decision of this House, I am not without hope that my humble voice will find an echo in the hearts of the English people, and that they will protest loudly against the official outrages which it has been my duty to expose. As the law of prison discipline now stands, the punishments that were inflicted on Mr. Ernest Jones and his companions may again fall on any other band of English politicians who shall come under the censure of the Government. This is not, therefore, merely an Irish question, but one affecting equally each part of the United Kingdom. The effect of the punishments I have already described on educated men is the most terrible that human life can bear. I do not wish needlessly to revive unpleasant recollections, but this House is not a too sensitive body, and I may, therefore, remind you of the circumstances attending Colonel Baker's conviction. Although convicted of an atrocious crime, he was exempted from the ordinary prison discipline because of his education and position. I appeal most earnestly to the House to show, in the division, that it is on the side of humanity, and not to sanction the barbarous punishments which the Government inflict on brave and noble men, whose only crime is that they sought, at the peril of their own lives, to redress the admitted grievances of their country.

HOUSE OF COMMONS.—20TH JULY, 1877.

On the order for going into Committee of Supply,

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Mr. O'Connor Power moved a resolution declaring that the time had arrived when her Majesty's gracious pardon might be advantageously extended to the prisoners, whether convicted before the civil tribunal or court martial, who had been for many years undergoing punishment for offences arising out of insurrectionary movements connected with Ireland. Mr. Power said—I have so frequently called the attention of the House to the subject of the motion which stands in my name that it would not be necessary for me to make any formal statement on the present occasion were it not that certain utterances from the Treasury Bench have furnished me with new materials for comment and consideration. The continued incarceration of the Irish political prisoners is not only a grave source of dissatisfaction and disaffection amongst the Irish people, but it is a matter which occasions great astonishment among many respectable and influential people in this country, who cannot understand, who, from the nature of the case, utterly fail to discover, any grounds of state policy for the further detention of those prisoners. Last year it was my duty, in conjunction with the hon. and learned member for Limerick (Mr. Butt), and the noble lord, the member for Clare (Lord Conyngham), to forward to the Prime Minister a memorial signed by 138 members of this House in favour of Amnesty. Such a memorial ought to have settled the question, but I refer to it only because I wish to mention that the signatures appended to it would have been far more numerous, but that some hon. members were under the impression that the offences committed by the prisoners were of a very aggravated character. It was stated that the records in the cases of the military prisoners contained proven accusations of a most serious kind, and thus a very erroneous impression, most prejudicial to the prisoners, gained ground. Remembering this circumstance, I thought it my duty, before bringing forward the question this year, to ask for the production of the records in the cases of five of the prisoners, whose imprisonment it was my intention to bring specially under the notice of the House. I do not intend to go into the case of Michael Davitt, as the right hon. gentleman the Home Secretary has informed us that his case is under the consideration of the Government, and I have a

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most confident expectation that the right hon. gentleman will be able, if not to-night, at least on an early day, to announce Mr. Davitt's liberation. But with reference to the other five —the three military prisoners, and the two men convicted of participation in the shooting of Sergeant Brett at Manchester —I applied to the Secretary for War and the Home Secretary for copies of the legal proceedings in their cases, and met with a refusal from both right hon. gentlemen. This is a matter in which I think I may justly complain of the conduct of the Government. It was very well known that it was no motive of idle curiosity that led me to ask for those records, but that I required them for purposes connected with a motion which I proposed to make in this House. The Government has, in this instance, departed from the usual practice, and I trust that the House will not forget that it is the Government and not the friends of Amnesty that refused to place it in possession of all the facts in connection with the political prisoners. In the absence of the records any argument drawn from the alleged aggravated nature of the offences for which the prisoners were convicted must be entirely disregarded. Then, of course, we have the assertion so frequently made by the Home Secretary, that these men are not political prisoners, although there is abundant evidence to show that it was the political character of their offences which, in the first place, caused their conviction on insufficient and tainted evidence. It was, in the second place, because of the political character of their offences that the sentences awarded in each case were unduly severe; and it was because of the political character of their offences and nothing else that they are being subjected to harsh treatment in prison, and it is for the same reason and for no other that the Government persists in refusing to liberate them. When Chambers was tried by court martial in Dublin witnesses were produced to prove the existence of the Fenian Brotherhood. It was objected on behalf of the prisoner that their testimony on this point should not be received, but the President of the Court decided to accept it, and so a connection was established between Chambers' acts and the Fenian Brotherhood, a political organization of which he was a member. It is really quite absurd to say that Chambers and the other military prisoners whose convictions were obtained in a similar way

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and on similar evidence are not political prisoners, and it is absolutely degrading to the English character to see her Majesty's Ministers endeavouring to shelter themselves behind such a transparent pretence. Now, let me remind the House of what happened last year in Western Australia. Six of these military prisoners who had been confined there were suddenly snatched out of the hands of their keepers, and taken on board an American whaler, with sails gallantly set for the land of the Star Spangled Banner. While the Prime Minister of England was here coldly refusing to purchase a nation's gratitude by their release, their rescue was being accomplished in spite of him by a handful of brave men, who won the applause of the world by their noble act of courage and patriotism. If those rescued men were not political prisoners, why did not her Majesty's Government demand their extradition from the American government? Why? Because the hollowness of the principle on which those compatriots are detained would be exposed in the most glaring manner. England could not demand the extradition of those men without disgracing herself before the civilised world. She, the professed champion of political offenders abroad, would stand before the nations a self-convicted hypocrite, were she to make so preposterous a demand. But, Sir, why should the Government perpetrate at home what it is ashamed to acknowledge abroad, what it dare not compare with the practice of other civilised governments, what it dare not attempt to defend before the tribunal of international justice or international law? The Government can have but one object in continuing the imprisonment of the men for whom I plead, namely, to degrade them in the eyes of their own countrymen, and so detach from the cause they represent the sympathy of the Irish nation. It was in that barbarous spirit that the Treason-Felony Act was framed and passed, and that spirit has actuated the conduct of every English Government since '48 in its dealings with political offenders in Ireland. But how have the patriots of '48 been degraded by your policy? How have you succeeded in your object? Their names are cherished in the warmest affections of the Irish heart, and the very first generation succeeding their own time has erected in the most conspicuous place of the greatest thoroughfare of the Irish capital, the marbled form of their

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gallant leader, William Smith O'Brien. Do you think you have degraded the Fenian prisoners in torturing them in the manner I have before described in this House. On the contrary, each new indignity inflicted on those brave men but increases the love with which they are regarded by the Irish people. If you want proof of how utterly fruitless your policy has been from your own point of view let me read one of the most popular Irish ballads—one which will give the House an idea of the real sentiments of the Irish people, but one which I venture to say would never have been written were it not for the degrading punishments inflicted on the political prisoners. While those prisoners are felons according to your law, they are regarded in Ireland as the confessors of Irish nationality—the martyrs of Irish freedom. This song is entitled, "The Felons of our Land":—

Fill up once more—let's drink a toast
To comrades far away;
No nation upon earth can boast
Of braver hearts than they;
And though they sleep in dungeons deep,
Or flee, outlawed and banned,
We love them yet, and can't forget
The Felons of our Land.

In boyhood's bloom and manhood's pride
Foredoomed by alien laws,
Some on the scaffold bravely died
For holy Ireland's cause;
And brothers say, shall we to-day
Unmoved like cowards stand,
Whilst traitors shame and foes defame
The Felons of our Land?

Some in the convict's dreary cell
Have found a living tomb,
And some unseen, unfriended, fell
Within the dungeon's gloom;
Yet care what we, altho' it be
Trod by a ruffian band,
God bless the clay where rest to-day
The Felons of our Land.

Let cowards swear and tyrants frown,
Oh! little do we care—
Such "Felon's" cap's the noblest crown
An Irish head can wear;
And every Gael in Innisfail
Who scorns the serf's vile brand,
From Lee to Foyne will gladly join
The Felons of our Land.

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Call the prisoners what you will, felons, or rebels, or patriots, they are undoubtedly heroes in the estimation of the people of Ireland, and you have contributed to make them heroes by your impolitic punishments. Judged by the example of other nations, your conduct is neither humane or statesmanlike. For the last two months France has been involved in a political crisis of the greatest magnitude, yet it was only the other day that Marshal MacMahon issued a decree pardoning and releasing more than eight hundred Communist prisoners. Look at the conduct of the United States, the great people with whom you are constantly telling the world that you are one in thought and feeling. See how the North has acted towards the rebellious South! When the great civil war was over, amnesty not vengeance was the cry that rose to Northern lips, although Northern eyes were still wet with tears of sorrow, and Northern hearts were still bowed down with grief for the tens of thousands of brave lives that had been lost in upholding the cause of the Union. Amnesty was proclaimed throughout the land, and the North and South shook hands over the bloody chasm of civil strife, and every bright May-Day since that hour of noble reconciliation, the tombs of the Confederate soldiers who died in the North are decorated with flowers by Northern civilians and Northern soldiers, who would scorn to harbour one vindictive feeling against their defeated and fallen foes. Is there nothing in all this from which England may take a lesson? Is it vain to hope that now, after eleven long years of penal servitude have passed over those imprisoned Irish patriots, an English Minister will be found who will drop one flower of sympathy on the altar of Irish patriotism, and recognising the purity of their motives and the courage and endurance with which they have met their fate, open the prison doors and set the prisoners free? I trust, Sir, that such a hope is not vain, and that the answer of the right hon. gentleman will leave no room for the reflection,

> "Forgiveness to the injured doth belong,
> They never do forgive, who do the wrong."

I beg to move the resolution.

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SOME PARTICULARS

OF

TREATMENT WHILE A PRISONER

IN

CLERKENWELL, NEWGATE, MILLBANK, PORTSMOUTH, AND DARTMOOR PRISONS,

WITH A FEW REMARKS UPON PENAL DISCIPLINE AND THE EXCEPTIONAL PUNISHMENT OF THE FENIAN PRISONERS,

AS AN ARGUMENT

IN FAVOUR OF A MORE LENIENT TREATMENT OF THOSE STILL IN PRISON; WITH SOME SUGGESTIONS AS TO AN INQUIRY INTO THE WORKING OF THE PENAL SERVITUDE ACT

AND THE MANAGEMENT OF CONVICT ESTABLISHMENTS IN ENGLAND AND IRELAND.

BY

MICHAEL DAVITT,

LATE FENIAN PRISONER.

When arrested here in London on the 14th of May, 1870, I was taken to the Paddington Police Station, and underwent the customary questioning, searching, and other preliminaries to a "lodgings in a lock-up."

From Saturday night until Monday morning I was confined in an almost darkened cell, in which was a water-closet with its inseparable offensiveness.

I was allowed neither bed or bedding, and had consequently no sleep during the time I remained in the station, from Saturday till Monday. I was allowed but a little light only when eating my meals.

On my arrival in Clerkenwell House of Detention, after the examination before the Marylebone Police Court magis-

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trate, I was immediately stripped naked and compelled to undergo the indignity of being searched in a manner almost too disgusting to describe.

Each article of dress was minutely examined by one warder while another was employed in watching, lest I should resent the insult to which I was subjected in being made to stand naked in presence of the two warders, one of whom was coolly satisfying himself that I had nothing concealed upon my person.

After each of the five or six examinations I underwent before the magistrate, previous to being committed for trial, I had to submit to the same searching, in the state of nudity I have described, on arriving in the House of Detention.

The first time the Governor visited me in my cell he inquired what I was arrested for, and on my answering that I was taken on suspicion of being a Fenian, he replied, "I don't care what you are, you must clean those traps (pointing to water-closet taps and other utensils in the cell) while you remain here," and during my confinement there I was compelled to do so, as also to clean my cell floor and windows. I was only allowed one hour each day for exercise, and of course not permitted to speak to anyone.

There were none but religious books allowed me during my stay in that prison.

The bedding was the worst and scantiest I have seen during my whole imprisonment, being nothing but a dirty blanket and rug, and a bare, unmattressed hammock.

Having paid for my own keep while awaiting trial, I cannot speak as to the quantity or quality of the food supplied to prisoners in Clerkenwell.

From my recollections of the place, I can assert that undue severity was exercised there on men arrested upon suspicion, and that the police authorities had, in my opinion, too much control over the management of the prison, and exercised that power in a manner calculated to injure the chances of a prisoner obtaining a fair and impartial trial.

When the informer, Corrydon, was brought to identify me I was taken from the cell in which I was located and marched along the ward in sight of the informer and detectives who accompanied him, and placed in a cell for identification. The

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informer was then supposed to look through the inspection hole of each cell in the ward to find me, and after being permitted to see me taken out of one cell and put into another, it was not a very brilliant achievement, even for John Joseph Corrydon to find me in the cell he saw me enter. In addition to this, I may be pardoned for detailing another incident that occurred, and which I believe contributed not a little to my conviction.

A few days previous to being committed for trial I drew up instructions for my solicitor as to the mode of my defence, and this I had done in exact accordance with the rules suspended in my cell, which rules also specified that such instructions could be handed by prisoners to their legal advisers without previous inspection by the governor or other prison officials.

When my solicitor's clerk visited me for the purpose of receiving those instructions I handed him the envelope containing them in the presence of the warder who presided at the interview, and who had brought me from my cell to the visitors' or solicitors' room.

Two days afterwards I was again visited by my solicitor's clerk, and astounded to hear that the governor had demanded my letter after the previous visit, as the officer had reported that he saw me draw a plan of the prison upon a piece of paper and give the same to the clerk!

When I saw the governor on the following morning I demanded an explanation of this strange proceeding, and had to remain satisfied with being told that it was the officer's fault, and that if I had no objection to his (the governor's) reading my letter it would be given to my solicitor. I replied that I had not the least objection, owing to what the officer had reported, but that I protested against the whole proceeding as unfair, and directly opposed to the rules hung up in my cell.

Now mark what transpired within those two days. A sensational paragraph had appeared in one of the London dailies announcing that another plot had been discovered to blow up the House of Detention, and that on this occasion it would be attempted from within the prison!

It is unnecessary to say what effect this would have upon

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the public mind, and how small the chance would be of my obtaining an unprejudiced jury and an impartial trial in London after this. Two great points had, by this heartless *canard*, been made against me; the plan of my defence had been discovered, and the public feeling directed adversely towards me owing to the report that I had intended to effect another explosion.

I regret being compelled, in the interests of truth, to relate anything that may reflect upon the want of Christian charity exhibited by ministers of religion in prisons; but as I purpose "nothing to exaggerate nor aught set down in malice," neither do I intend to withhold anything that may assist in exposing the harsh and vindictive manner in which Irish political prisoners are treated under cover of a falsely-termed "humane" system of imprisonment.

A few days after my arrival in Clerkenwell I was surprised to see my cell door cautiously opened, and observe the head alone of the prison chaplain inserted, and hear him ask me in well-feigned accents of fear, "You won't kill me if I come in, will you?" I replied that I was not capable of killing anyone, but my friendly (?) visitor assured me he would not trust himself in my company, observing, "The papers say you are one of those desperate Fenians, and I fear you might murder me."

If this reverend gentleman had not "visited the imprisoned" in the spirit of the injunction of his Master, he had at least fulfilled his duty to a system that considers charity in prison as a crime, and which looks upon a kind expression with disfavour.

John Wilson, the Birmingham gunsmith, who was arrested with me, was also a fellow-prisoner of mine in Clerkenwell, and treated in a similar manner to myself in regards to cleaning cells, exercise, &c. We would not be allowed to come near each other.

It would of course be somewhat out of place to introduce here an account of how poor Wilson and myself were convicted, but I may be permitted to say again what I conscientiously declared to Lord Chief Justice Cockburn when I was about to be sentenced, that Wilson was innocent of the crime of misprison of treason for which he was found guilty,

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and that his sentence was a gross miscarriage of justice. However, this English artisan has undergone five years' and a half of penal servitude, and was sentenced to and underwent part of this while John Bright was a Cabinet minister and Mr. Gladstone Premier of England.

NEWGATE.

I WAS removed from Clerkenwell to Newgate on the 14th of June, and after one month's experience of the former place the change could not be otherwise than agreeable.

Newgate is the only prison I have been in where the fact of my offence being an Irish political one did not cause my punishment to be the more severe on that account.

The governor, chaplain, and subordinate officials appeared to me desirous of performing their duties without being in any way actuated with a wish—but too prevalent in the other prisons I have been in—to make the burden of misfortune press heavier on the unfortunate people committed to their charge.

In food, bedding, cleanliness, and in every other respect, Newgate was much preferable to my former place of confinement. I was allowed an hour and a half's exercise each day, as were also all the prisoners confined there. Cells had to be cleaned, utensils polished, and searching undergone, as in Clerkenwell; but the performance of those tasks and the ordeal of being stripped and searched was considerably less humiliating in Newgate. There was no service for Catholic prisoners in Newgate in 1870.

This terminates my remarks at present on my treatment as an untried prisoner.

* * * * * * * * *

My trial commenced on the 15th of July, and at six o'clock

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in the evening of the 18th I was sentenced to fifteen years' penal servitude, and poor Wilson to seven. Immediately after sentence I was deprived of my own clothes and put in convict uniform, my hair and beard being cut close at the same time. I remained in Newgate but eleven days after receiving my sentence, and in that short period I was being initiated into the reality of penal servitude.

My work, however, was not very heavy nor otherwise disagreeable; but the classification with thieves had already commenced, and the prospect of spending perhaps fifteen years in such company made Newgate then appear—what in comparison with other prisons it is not—a veritable Inferno.

On the 29th of July I was removed to Millbank, and saw Wilson for the last time on that day. If my prayers could have spared him the sufferings he has since undergone, I would have left Newgate with a much lighter heart. Chains were fastened round my ankles in such a manner that I could only stride some twelve or fifteen inches when walking, and to insure my offering no resistance I was compelled to hold the end of the chain with which my feet were bound. Thus dressed and manacled, and guarded by a couple of warders, I was driven from Newgate along the Thames Embankment to Millbank Penitentiary. Not quite three months had yet elapsed since I had walked that promenade free and unfettered, without any foreboding of what fate had in store for me; and now I was only allowed, by the necessity of my removal from one prison to another, to look upon that scene for a few moments, and imprint upon my memory the liberty it portrayed and the life from which I was to be debarred for years. To leave the broad and cheerful light of day and be immured in a solitary cell—to exchange the social amenities of life, home, country, and friends for an existence undreamt of—by those who know not what a world of suffering is comprised in the meaning of the words "Solitary confinement"—is a feeling impossible to be expressed in words. John Mitchel has attempted to record his own sensations when, after sentence for treason-felony, he found himself in "solitary" for the first time.

"It came at last; my door was shut, and for the first time I was quite alone. And now I do confess that I flung

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myself upon my bed and broke into a raging passion of tears, tears bitter and salt; but not of base lamentation for my own fate. The thoughts and feelings that have so shaken me for this once, language was never made to describe."

This is the testimony of one whose proud soul had never acknowledged its susceptibility to the common weakness of humanity, but solitary confinement wrung tears from Mitchel! The vagrant sunbeam that finds its way to the lonely occupant of a prison cell but speaks of the liberty which others enjoy, of the happiness that falls to the lot of those whom misfortune has not dragged from the pleasures of life. The cries, the noise and uproar of London which penetrate the silent corridors and re-echo in the cheerless cells of Millbank, are but so many mocking voices that come to laugh at the misery their walls enclose, and arouse the recollection of happier days to probe the wounds of present sorrow. And if, despite all this, a prisoner should try to raise himself above those depressing influences, and cheat despair of its prey, he will then experience how far man can go in his inhumanity to man by finding himself denied the only consolation left him in his utter loneliness—the solace of solacing himself. He will find men who will watch for a smile or some other sign of a happy obliviousness, and then, by some of the many arts practised for the purpose, end the momentary forgetfulness of imprisonment by an exercise of the almost uncontrolled power they wield over their unfortunate charges.

MILLBANK.

On my arrival in Millbank I was immediately stripped naked and had again to submit to a most revolting search of my body. This surpassed in its utter disregard to every feeling of common decency anything I had yet undergone. I was made stoop while in a state of nudity and place myself in all the postures the searching warder desired to put me in. After this disgusting and almost maddening ordeal was gone

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through, I was then conducted to the cell in which I was to be located.

To relate every incident of my ten months' incarceration in Millbank Penetentiary would only be a tedious repetition of each day's experience, so uniform is the system of punishment in that prison.

A description of the cells, together with an account of the daily routine and work that had to be done, will suffice to form some idea of what punishment has to be borne in what is termed "probation class." The cells are some nine or ten feet long, by about eight wide. Stone floor, bare whitewashed walls, with neither table or stool, and of course with no fire to warm by its cheerful glow the oppressing chilliness of such a place. My bedstead was made of three planks laid parallel to each other at the end of the cell, and raised from the stone floor but three inches at the foot and six at the head of this truly lowly couch. The only seat allowed me was a bucket which contained the water supplied me for washing purposes—this bucket having a cover so as to answer the double purpose of water holder and stool. The height of this sole article of furniture allowed me was fourteen inches exactly, including the lid, and on this "repentance stool" I was compelled to sit at work ten hours at least each day for ten months.

The punishment this entails upon a tall man can be easily conceived. The recumbent posture, and bent chest necessary while picking oakum, with nothing to lean one's back against to obtain a momentary relief, is distressing in the extreme. The effect upon me, in addition to inducing a weakness in my chest, was singular, but not surprising.

On entering Millbank my height was exactly six feet, as measured by the prison standard for that purpose, but on my departure for Dartmoor ten months after, I had illustrated the saying that some people can grow downwards, as I then measured but five feet ten and a half inches.

The bedding supplied was miserably insufficient during the winter months; and owing to this, and the sitting posture during the day with feet resting upon cold flags, with no fire, and with a prohibition against walking in the cell, many prisoners have lost the use of their limbs from the effects of a

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Millbank winter. But one hour's exercise in the prison yard was allowed each day, and that was forfeited if the weather proved unfavourable. Owing to my health beginning to break down I was permitted an extra half hour's exercise after I had been eight months in the prison. This was granted by the doctor's order.

I had to rise at six each morning, fold up my bed very neatly, and afterwards wash and scrub my cell floor quite clean with brush and stone used for that purpose. This washing and scrubbing was, I need scarcely remark, very distressing upon me owing to my physical infirmity, but I was compelled to do it nevertheless once each day during the whole term of my imprisonment. After cells were cleaned in the manner I have described, work was then commenced, and continued until a quarter to nine at night, allowing of course for meals, exercise and prayers in chapel each morning.

The work I was put to in this prison was coir and oakum picking. I was not tasked, but I had to sit working all day and pick a reasonable share of my coir or oakum as the case might be. When I inquired on being first ordered to this sort of work, how I could possibly do it with but a limited number of fingers at my disposal, I was told by the warder that he had known several "blokes" with but one hand who managed to pick oakum very well with their teeth. As I declined to use my teeth to tear old ropes to pieces, I had to do the work as best I could.

In going to and from chapel, and during exercise, all prisoners were compelled to walk in single file, and talking was of course strictly prohibited.

During the whole of my stay in Millbank my conversation with prisoners—at the risk of being punished, of course—as also with warders and chaplains, would not occupy me twenty minutes to repeat, could I collect all the scattered words spoken by me in the whole of that ten months.

I recollect many weeks going by without my exchanging a word with a single human being.

The food allowed me for daily rations was as follows:—Breakfast, eight ounces of bread, and three-quarters of a pint of cocoa; dinner, four ounces of meat (including bone), four days a week, with six ounces of bread and pound of potatoes;

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one day in the week I was allowed a pint of shins of be of soup in lieu of meat, and on another one pound of suet pudding, ditto. Dinner on Sunday was twelve ounces of bread, four ounces of cheese, and a pint of water; and for supper each night I received six ounces of bread and a pint of "skilly," containing—or rather supposed to contain—two ounces of oatmeal.

This was the ordinary prison allowance.

After subsisting for three months on this diet, I applied to the doctor for a little more food on the ground that I was losing weight owing to the insufficiency of the quantity allowed, but my application was of no avail.

The books supplied me while in Millbank were almost exclusively religious, and but one library book was allowed to each prisoner in a fortnight.

I asked to have mine changed once a week, but was promptly told I could not be favoured beyond other prisoners. The class of books supplied to the Catholic prisoners was such as would be suitable to children or people ignorant of the truths of the Catholic faith.

I had often no book to read but one that might answer the requirements of a child, such as the history of "Naughty Fanny," or "Grandmother Betty," and the like productions, which, though doubtless good in their way, were not what could lessen the dreary monotony of such an existence.

A circumstance in connection with the situation of Millbank may (taken with what I have already said on that prison) give some faint idea of what confinement there really means. Westminster Tower clock is not far distant from the penitentiary, so that its every stroke is as distinctly heard in each cell as if it were situated in one of the prison yards. At each quarter of an hour, day and night, it chimes a bar of the "Old Hundredth," and those solemn tones strike on the ears of the lonely listeners like the voice of some monster spirit singing the funeral dirge of Time.

Oft in the silent watches of the night has it reminded me of the number of strokes I was doomed to listen to, and of how slowly those minutes were creeping along! That weird chant of Westminster clock will ever haunt my memory, and

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recall that period of my imprisonment when I first had to implore Divine Providence to preserve my reason and save me from the madness which seemed inevitable through mental and corporal tortures combined.

That human reason should give way under such adverse influences, is not, I think, to be wondered at; and many a still living wreck of manhood can refer to the silent system of Millbank and its pernicious surroundings as the cause of his debilitated mind.

It was here that Edward Duffy died, and where Richard Burke and Martin Hanly Carey were for a time oblivious of their sufferings from temporary insanity, and where Daniel Reddin was paralysed. It was here where Thomas Ahearn first showed symptoms of madness, and was put in dark cells and strait-jacket for a "test" as to the reality of those symptoms. Ten years have passed their long and silent courses since then, but that same Thomas Ahearn is still a prisoner, and his mind is still tottering on the brink of insanity. I have anxiously watched him drifting towards this fate for the past six years, unable to render him any assistance, and I can predict that if he is not soon liberated he will exchange Dartmoor for Broadmoor Lunatic Prison, like so many other victims of penal servitude.

As I shall have to speak pretty frequently in the course of these remarks of the conduct of warders towards prisoners over and above the duty they have to perform in their punishment, I will conclude my account of Millbank with a specimen of the "practical jokes" they amuse themselves with at the expense of their charges whenever a fitting opportunity offers itself for indulging in this amusement.

It might appear incredible that any man, no matter what his calling might be, could take delight in aggravating misery by playing upon a fellow-creature who is almost crushed with a load of punishment each hour in the day; but such men do exist, and I have had good reason to know it. On the 25th of May, 1871, I was at my usual employment in my cell when the warder—a man named Austin, if I recollect aright—opened my door, and told me (after many cautions against my telling anyone as to who was my informant) that he had just heard of my pardon having reached the prison from the

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Home Office, and that I was to be discharged on the following day. He told me this with such well-feigned looks of pleasure at having good tidings to communicate that I never doubted the truth of it for a moment.

Moreover, it was the Queen's birthday, and had not some of the political prisoners been amnested a few months previously? What more likely than my own discharge now?

I remember trying to express my thanks to the "kind" fellow who had lifted me from the depths of my sufferings by this good news, as he was leaving my cell, and then falling on my knees in heartfelt prayer to God for this deliverance from long years of sufferings but too likely to end in a felon's grave, and for my speedy restoration to my family. Five o'clock in the evening came at last, my cell door was flung open, and I was ordered to lead towards the entrance quarter of the prison, now thoroughly convinced that a few moments more would see me outside—a free man.

I walked the gloomy corridors, I need scarcely remark, with a light heart, conjuring up all the felicities in store for me in the lap of liberty, when, on turning an angle of a ward, I was brought up face to face with a couple of warders dressed and armed for a journey.

The truth flashed upon me in a moment. I was to be "discharged" from Millbank sure enough, but only to exchange it for a far worse place—Dartmoor!

A few moments sufficed to put me in a convict's working smock, fasten a handcuff on my wrist, and hear the principal warder admonish me that I would be placed under stricter surveillance where I was going, and that if I disobeyed orders there I would be punished more severely than a common prisoner.

I endeavoured to hide the effects of this shock, and cheat my "good friends" of the pleasure they had anticipated at my expense, but I fear I only partially succeeded.

Thus ended my experience of Millbank, as I was immediately conducted to the Paddington Railway Station and conveyed to my next abode in charge of the armed warders. Twelvemonths and twelve days had elapsed since I had been arrested at that very station, and in that short period I had undergone an amount of mental suffering and

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anxiety which I thought at that time I would never live to record.

DARTMOOR.

If the whole United Kingdom was searched through for the purpose of discovering a place whereon to erect a prison, with the view of utilising the rigours of a severe climate, damp fogs, more than average rainfall, and a lengthened winter season, with all that was desolate and uninviting in the aspect of nature to assist in the punishment of prisoners, no more suitable place than Dartmoor could be found if a procrustean spirit guided the search. Buried in the midst of barren and boulder-strewn Devonshire moors, it is peculiarly adapted for an abode of misery. It was here where the French and American prisoners of war were incarcerated during the wars with the first Napoleon and rebel America, and many a gallant foe of England's there sank beneath the hardships of the climate and the treatment he received.

The chivalrous Lord Dundonald denounced the Government of the day, in the strongest terms, for confining brave and honourable enemies in such a place; "enveloped," as he declared from observation, "in almost perpetual fog."

Well, governments were no more indifferent in those days to the inhuman treatment of their fallen foes than in more modern, and shall I say more humane (?) times; but now, as then, there are a few generous-hearted Englishmen to be found courageous enough to say they do not glory in this, the shame of England; and that, whether cannons are charged with foes in India, enemies tied to trees and fired at for practice in Jamaica, or the youth of Ireland done to death by penal servitude in England's prisons, it is a disgrace to any country boasting of its civilization, and repugnant to the generous instincts of humanity.

It would be impossible for me in the limited time at my disposal to detail every circumstance connected with my six

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years and six months confinement in Dartmoor; I can, therefore, only dwell upon the most prominent incidents connected with my treatment during that period, by a simple statement of facts as to what that treatment was.

For the first week after my arrival from Millbank, I was located in the penal cells, and had to make application for removal from same into some other part of the prison. The penal cells, or rather some of them, are much preferable to the ordinary or iron cells, being somewhat larger and much better ventilated; but owing to their being constructed and set apart for incorrigible prisoners — men who are taught obedience by means of starvation, and consequently maddened by hunger and cold—it is almost impossible to obtain any sleep in such a place. I will have more to say anent these cells by-and-bye, as I was confined in them from August '76 until November '77. The iron, or ordinary cell I was next located in, and remained an inmate of for close on five years, I will now describe. So much attention having been directed to these veritable iron cages by the exposure of poor M'Carthy's treatment, and his confinement in such cells, I purpose giving an accurate description of them, and remove any doubts, if such exist, as to the account already given of their size, construction, and ventilation.

The dimensions of one of them will answer for that of the whole, as they are uniform in almost every respect. Length, seven feet exactly, width, four feet, and height, seven feet one or two inches. The sides (or frames) of all are of corrugated iron, and the floor is a slate one. These cells are ranged in tiers or wards in the centre of a hall, the tiers being one above another to the height of four wards, the floors of the three upper tiers of cells forming the ceilings or tops of those immediately beneath them. Each ward or tier contains in length forty-two cells, giving a total of 168 for one hall. The sole provision made for ventilating these cells is an opening of two and a half or three inches left at the bottom of each door. There is no opening into the external air from any of those cells in Dartmoor, and the air admitted into the hall has to traverse the width of the same to enter the hole under the cell doors. In the cells on the first three tiers or wards there are about a dozen small perforations in the corner of

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each for the escape of vitiated air; but in those on the top or fourth ward—or speaking more confidently in those on that ward in which I was located a portion of my time—there were no such perforations—no possible way of escape for foul air except where most of it entered as "pure"—under the cell door! In the heat of summer it was almost impossible to breath in these top cells, so close and foul would the air become from the improper ventilation of the cells below, allowing the breathed air in each cell to mix with that in the hall, and thus ascend to the top.

In addition to this, if a prisoner has a call of nature between eight at night and five in the morning, he is compelled to use a utensil in his cell, and leave it there all night, as prisoners are not allowed out of their cells for any purpose during those hours. The division between each cell is but the thickness of the iron frame of the same, and consequently when an occurrence of that kind happens, which, owing to the nature of the food it does very frequently, the fact is made known by a nasal telegram almost over the whole ward, announcing an addition to the already over-tainted atmosphere. I have often been next cell to a man suffering from mephitis or stinking breath, and had to endure the frightful torture of inhaling his poisonous respirations. I on one occasion begged the governor of Dartmoor to remove me from such a situation for the additional reason to those I have given, that I had not sufficient light to read in the cell I was in, but I begged in vain. I was, however, soon after removed to a lower tier, after foul eruptions began to break out upon my body through the impure air I had been breathing. It has been denied by Chatham prison officials that Charles M'Carthy ever slept with his bed across the inside of his cell door in order to catch sufficient air to breath. From my own experience I can fully believe the necessity of his doing so, as it was quite common in Dartmoor for prisoners to sleep with their heads towards the door for a similar reason; and I have often in the summer season done this myself, and had repeatedly to go on my knees and put my mouth to the bottom of the door for a little air.

The light admitted to those ordinary or iron cells is scarcely sufficient to read by in the day time, and should a fog prevail

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it would be impossible to read in half of them. The cells are fitted with a couple of plates of thick intransparent glass, about eighteen inches long by six inches wide each, and the light is transmitted through this "window" from the hall and not from the externe of the prison.

I have often laid the length of my body on the cell floor, and placed my book under the door to catch sufficient light to read it. For the 168 cells in the hall I am speaking of, there are but two water-closets, and the soil from that number of men is kept in tubs, that are used instead of ordinary closets, and in which it cannot be washed away, as in the latter. It is preserved in those tubs for manuring purposes, and they are emptied every other morning only. From Saturday at noon until Monday morning the accumulated filth from the whole hall is kept in those tubs, and the stench arising from this on a Sunday evening is abominable. From May, 1876, until the following August I was located in cell No. 122, Ward No. 3. A hall, immediately opposite one of those tub-closets, but twelve feet distant from where I had to eat my meals and sleep if I could. I repeatedly asked the officer in charge of the hall to remove me a few cells higher up the ward, but the cell had been selected for me, as I had to be strictly watched, and therefore I was not removed. The food in Dartmoor prison I found to be the very worst in quality and the filthiest in cooking of any of the other places I had been in. The quantity of daily rations was the same as in Millbank, with the difference of four ounces of bread more each day and one of meat less in the week. The quality, as I have already remarked, is inferior to any other prison, but from about November till May it is simply execrable, the potatoes being often unfit to eat, and rotten cow carrots occasionally substituted for other food. To find black beetles in soup, "skilly," bread, and tea was quite a common occurrence; and some idea can be formed of how hunger will reconcile a man to look without disgust upon the most filthy objects in nature, when I state as a fact that I have often discovered beetles in my food, and have eaten it after throwing them aside, without experiencing much revulsion of feeling at the sight of such loathsome animals in my victuals. Still, I have often come in from work weak with fatigue and hunger, and

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found it impossible to eat the putrid meat or stinking soup supplied me for dinner, and had to return to labour again after "dining" on six ounces of bad bread.

It is quite a common occurrence in Dartmoor for men to be reported and punished for eating candles, boot oil, and other repulsive articles; and notwithstanding that a highly offensive smell is purposely given to prison candles to prevent their being eaten instead of burned, men are driven by a system of half starvation into an animal-like voracity, and anything that a dog would eat is nowise repugnant to their taste. I have seen men eat old poultices found buried in heaps of rubbish I was assisting in carting away, and have seen bits of candle pulled out of the prison cesspool and eaten, after the human soil was wiped off them!

MY WORK IN DARTMOOR PRISON.

The labour I was first put to was stone-breaking, that being considered suitable work for non-ablebodied prisoners. I was put to this employment in a large shed, along with some eighty or ninety more prisoners, but my hand becoming blistered by the action of the hammer after I had broken stones for a week I was unable to continue at that work, and was consequently put to what is termed "cart labour."

This sort of work is very general in Dartmoor, and I may as well give some description of it.

Eight men constitute a "cart party," and have an officer over them, armed with a staff if working within the prison walls, and with a rifle, and accompanied by an armed guard, if employed outside. Each man in the cart party is supplied with a collar, which is put over the head and passes from the right or left shoulder under the opposite arm, and is then hooked to the chain by means of which the cart is drawn about.

The cart-party to which I was attached was employed in carting stones, coals, manure, and rubbish of all descriptions.

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In drawing the cart along each prisoner has to bend forward and pull with all his strength or the warder who is driving will threaten to "run him in" or report him for idleness. It was our work to supply all parts of the prison, workshops, officers' mess-room, cook-house, &c., with coals, and I was often drawing these about in rain and sleet, with no fire to warm or dry myself after a wetting. I was only a few months at this sort of work as I met with a slight accident by a collar hurting the remnant of my right arm, and was in consequence of this excused from cart labour by the doctor's order.

I was again set to breaking granite, and remained at that job during the winter of '70-71.

I may remark that in June when I was first put stone-breaking I was employed in a shed, but during the winter I was compelled to work outside in the cold and damp foggy weather. I was left at this work until spring, and was then removed to a task from the effects of which I believe I will never completely recover. My health on entering prison was excellent, never having had any sickness at any previous period of my life. The close confinement and insufficient food in Millbank had told of course upon my constitution, though not to any very alarming extent; but the task I was now put to laid the germs of the heart and lung disease I have since been suffering from. This task was putrid bone-breaking.

On the brink of the prison cesspool, in which all the soil of the whole establishment is accumulated for manure, stands a small building some twenty feet long by about ten broad, known as the "bone shed."

The floor of this shed is sunk some three feet lower than the ground outside, and is on a level with the pool which laves the wall of the building. All the bones accruing from the meat supply of the prison were pounded into dust in this shed, and during the summer of '72 (excepting five weeks spent in Portsmouth prison) this was my employment. These bones have often lain putrifying for weeks in the broiling heat of the summer sun ere they were brought in to be broken. The stench arising from their decomposition, together with the noxious exhalations from the action of the sun's

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rays on the cesspool outside, no words could adequately express —it was a veritable charnel house. It will be noted that I was at work outside the previous winter, and when the bright days and summer season came on I was put in a low shed to break putrifying bones! The number of prisoners at this work varied from thirty to six, and I may remark that the majority of these were what are termed "doctor's men," or prisoners unable to perform the ordinary prison labour. When all the bones would be pounded, we would then be employed in and around the cesspool, mixing and carting manure, and at various other similar occupations.

I made application to both the governor and doctor for removal from this bone-breaking to some more congenial task, but I would not be transferred to any other labour. After completing a term of my imprisonment which entitled me to a pint of tea in lieu of "skilly" for breakfast, I was then removed to a hard labour party, as, owing to my being an invalid, or "doctor's man," I could not claim the privilege of this slight change in diet without becoming attached to some hard labour party—invalids, or "light labour men," not being allowed tea at any stage of their imprisonment.

I very willingly consented to a heavier task in order to be removed from the abominable bone-shed, in which I had worked and sickened during the summer.

My employment after this was various, drawing carts, bogies laden with stone, slates, &c., delving and sifting sand, at which work I was in the habit of using a pick and shovel (though not, I must fairly admit, *compelled* to do so) as the extreme cold made it necessary in order to keep myself from being congealed.

I was next employed in winding up stones at an iron crank, during the building of an additional wing to the prison, and this was beyond doubt the heaviest work to which they could have put me. A crank party consisted of four men, and my being one of the four compelled me to perform as much work as either of the others, as the task would fall heavier upon them otherwise.

This employment was occasionally diversified with "spells" at mortar-making, water-carrying for same, sand-sifting, cement-mixing and various other jobs, among which carrying

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slates to the roof of the new prison was one—not, of course, up a ladder, but by a steep incline.

I may remark in passing that three prisoners lost their lives while this building was going on, and in my opinion those accidents were attributable to the ignorance of scaffolding arrangements shown by the warders appointed to superintend them. Inquests were held, of course, *inside* the prison, but I never learned that any intelligent prisoner was called upon to give evidence, nor what verdicts were given by what the prisoners in Dartmoor call "the standing jury." I may add also that my friend, Mr. Chambers, fell from a scaffolding at the same building, and on the principle that "a man who falls deserves to be kicked for falling," he was taken to the punishment cells instead of the infirmary, and turned out to work again the following day.

When my services as a mason's labourer were no longer required, I was once more put to the old job of stone-breaking, and remained thereat from about the latter part of '73 until August 1876.

During the long winters of those years I was thus employed in a part of the prison yard known to be the coldest place within the walls, where the north-east wind—so prevalent during Dartmoor winters—blew in my face without my having the slightest shelter from its cutting blasts, or any means of keeping my freezing blood in circulation except by the plying of my stone-breaking hammer. When snow had fallen during the night I would have to clear it away from the heap of stones in the morning and smash away as usual. So excessively cold and long are the Dartmoor winters that during the past few years the prisoners have had to be supplied with small bags made of the same material as their clothing by which to shield their hands from frost bite and chilblains. Without some such provision to protect them from the effects of the severe cold, little or no outside work could be done by the prisoners.

I made application to the governor for some inside labour in winter time, but all requests of mine for change of task were invariably refused,and I had to await unforeseen circumstances to effect what would not otherwise be granted me. An event of this nature saved me from a fourth winter's campaign

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amidst granite and snow; but as a "compensation" for this relief it entailed very much heavier work, and caused me to be placed under special surveillance and located in penal cells for the remainder of my imprisonment.

This event was what has been called "the unconstitutional amnesty" of Western Australia.

After this I was not considered sufficiently safe, as I could have been seen at my stone-breaking in the prison yard by any mischievous people who might hold anti-ticket-of-leave notions on my account. I was therefore removed to the prison wash-house, a place securely situated in the very centre of the prison, and free from all apprehensions of a "surprise." A wash-house is a place where it might be thought I could not earn my skilly; but without boasting of having distinguished myself in the capacity of a "washerwoman," or built a reputation in the art of bleaching, I can say without fear of contradiction from the prison officials, that my work there was the heaviest of any prisoner employed in the wash-house. Another prisoner and myself were told off to the wringing machine, in which linen, &c., for a thousand men, and washings for officers' mess and rooms, &c., had to be wrung each week, with flannels and sheets for same number once a fortnight and month respectively in addition. My assistant on this machine was changed every week, as men—able-bodied men—had been reported for refusing to remain constantly at such heavy labour; but as I was physically unable to wash the linen I was compelled to turn the machine as my principal occupation. The machine being made with a couple of handles I had to turn as much as my assistant, and very often more, if he proved an idle one. I was considerably reduced in weight while at this employment (which lasted until my release on the 19th of December last) from the amount of sweating it entailed, especially during the summer months, and the heavy nature of the work.

My weight a week after my liberation was but 9 stone 4 pounds, including my clothes, or some 8 stone 10 pounds without—not I think the proper weight for a man six feet high, and at the age of thirty-one. In addition to turning the wringer I had to sort my share of the dirty linen each Monday morning, and singularly enough the infirmary portion

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was part of my share, and I had consequently to handle the articles worn by prisoners suffering from all manner of skin diseases and other disgusting afflictions.

This will finish the necessarily brief account of my various employments in Dartmoor, and with a description of the daily searchings I was subject to will conclude my narrative of ordinary treatment while a prisoner. I will then briefly relate my exceptional punishment as a political prisoner, and adduce proofs that this treatment was more severe than that of ordinary malefactors, unmerited by my conduct as a prisoner, and therefore contrary to the prison rules I was compelled to observe to the very letter. Each prisoner is searched four times each day—Sunday excepted—by the officers under whom he is employed, and liable, in addition to this, to be stripped naked, and subjected to a minute and disgusting examination, or, as it is more properly termed in prison slang, "turned over," whenever an officer wishes to do so. I was searched four times each day in common with other prisoners, and had in winter and summer alike to open my jacket and vest, take off my cap, hold out my hand at arm's length, and stand in this manner in the open air, and allow a warder to run his hands from my neck downwards over my body to satisfy himself I had nothing concealed upon my person.

I was also at regulated intervals taken with other prisoners into a part of the prison where we had all to strip in presence of each other and be minutely searched, but not compelled to strip beyond the shirt. This often occurred in the depth of winter, and I had to stand in this plight while an officer was carefully examining every article of my dress, after having rubbed his hands over my body and made me open my mouth to assure himself I had nothing contraband upon me. I was never exempt from any of these searchings during the whole of my imprisonment.

PROOFS OF EXCEPTIONALLY HARSH TREATMENT.

The charge has often been made against the Government that the Irish political prisoners were treated with greater severity

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and subjected to more indignities than ordinary malefactors, and both Ministers and Government organs have as often denied the truth of these allegations. I will allow facts to substantiate the charge so far as my own treatment is concerned, and leave the public to draw the inference in the case of those still in prison.

From my arrival in Millbank in 1870 until my discharge from Dartmoor in December last I was classed and associated with the ordinary prisoners, placed on the same footing in regard to diet and work, and had in every particular to perform the daily task of penal servitude as laid down by the prison rules.

A strict compliance with the requirements of these rules entitle a convict to certain privileges at stated intervals during his imprisonment, as regulated by the Penal Servitude Act, which came into force in July, 1864; and such privileges are accordingly allowed to prisoners who strictly observe the conditions imposed upon them. There was no provision made in that Act for the treatment of prisoners convicted for treason felony or other offences arising out of insurrectionary movements, and consequently there is no clause in the prison rules specifying the punishment to be awarded to political prisoners or the granting or curtailing of privileges in such cases. A political prisoner, therefore, who is compelled to observe these rules in every particular like other prisoners, and to undergo the same penal discipline, is as clearly entitled to all the privileges allowed by those rules as men who are convicted for non-political offences, such as murder, theft, forgery, bigamy, &c.

Such, however, has not been the case in regard to myself, and I adduce proofs to confirm this statement. One of the most coveted rewards of good conduct in prison is the privilege of receiving visits from friends, at intervals of three, four, and six months, according to class and time served. A prisoner who has not forfeited his claim to such a privilege by any breach of discipline is as justly entitled to it as to his daily rations of food. Well, during my seven years and seven months imprisonment I have been, by the admission of prison officials, a "good conduct" prisoner, and had consequently a right to a visit whenever I demanded one in accordance with

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the rules; but from the day after my sentence until the day of my discharge I was not allowed to see a friend or receive a visit from anyone.

My first application for a visit was made in Millbank when due by the rules to receive one, and the answer given by the governor to my application was that I would not be permitted to write to, receive letters from, or see the friend whom I requested a visit from. As he was the nearest friend I had in England, and one who had assisted me to defend myself when tried, I could see no grounds whatever for the objection to his coming to see me; but when I sought an explanation of this refusal from Visiting-Director Gambier, I was told by him that he would give me no reasons whatever, nor was he supposed to do so.

I would not be allowed the visit.

I made another effort while in Millbank to see some friend, and thinking that no possible objection could be raised against my seeing a lady, I tendered the name of one whom I was anxious to see, as she was a correspondent of my family and a most intimate friend of my own.

This application was also refused by an order purporting to come from the then Home Secretary, Mr. Bruce (now Lord Aberdare), to the effect that a visit from the lady I had named would not be granted. I was now convinced that I would not be allowed an interview with any of my friends under any conditions, and made no further application for the next few years. I complied with the prison rules in the meantime, notwithstanding my deprivation of the privileges such compliance entitled me to. Several of my friends had also made efforts to obtain leave to see me, but to no purpose. I renewed my application again in August or September, 1874, and was again refused, and no explanation of such refusal given. On the 24th of November last I once more endeavoured to see a friend, but the order for the visit was not forwarded, and I left prison on the 19th of December last without being permitted to see a friendly face during the whole term of my imprisonment.

I may remark that one of my objects in seeking an interview with some of my friends was to have attention drawn to the case of John Wilson, who had been sentenced with me.

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Perhaps this was one reason why no visit would be granted. Another proof of exceptional treatment:—

Ordinary convicts when located according to class were allowed to select a companion from the same ward to exercise with on Sunday. Mr. Chambers and myself were never allowed this privilege. We could select "companions" from among thieves and murderers, but would not be permitted to even speak to each other at any time—Sundays or other occasions. We made repeated applications to governors and directors to have this small boon allowed us, as it was granted to others, but to no avail. No explanation would be given us why we were thus deprived of what others enjoyed.

Another instance of unjust treatment is one which I may have already touched upon in the particulars of my various employment. Applications for transfer from party to party are of every-day occurrence in prison, and are invariably granted by the governor, as prisoners are entitled to change of labour when their employments may be either too heavy or injurious to their health, or when they can show themselves more capable of performing one class of work than another. Every application made by me for more suitable employment was refused, and I was invariably put either to labour that would throw as much work upon me as if I were able-bodied, or to some task, such as bone-breaking in a low shed by the prison cesspool in summer, or stone-breaking in the open air during the rigours of winter, which would insure punishment the most injurious to my health being inflicted upon me. No other conclusion than this was possible, from the singularly harsh manner in which I was treated while complying with the rules in every particular.

I have before remarked that in the labour of washing and scrubbing my cell, polishing utensils, &c., there was no allowance made for my being deprived of an arm; but I must admit that other prisoners similarly afflicted were treated in that respect in a like manner.

This cell work, in addition to my ordinary labour, would tell more upon me than upon an able-bodied prisoner; and as it also subtracted considerably from the short time at the disposal of prisoners for repose from labour, reading, &c., it would necessarily take more time from me, owing to the

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difficulties I had to contend with. In order to squeeze the floor-cloth with which I washed my cell twice a day, I would have to sit on my stool, place my feet upon the rim of my bucket, then put the cloth round the bucket-handle, and twist it until the water was wrung out of it. As a general rule I had only a few minutes to spare for reading, so much of my time being necessary to the keeping of my cell as clean as others.

In June, 1872, I was sent to Portsmouth prison, along with twenty-nine other prisoners, from Dartmoor.

In cases of transfer from prison to prison convicts are handcuffed by one hand only to a chain that runs the whole length of the number of prisoners, and passes through a ring in each man's handcuff. By this means each convict has one hand at liberty to eat his food, attend to calls of nature, &c., if he is fortunate enough to be possessed of two; and if not, it is customary to substitute a body belt for a handcuff, in order to give him the use of one hand also.

No such consideration was shown to me. I was purposely placed between two of the filthiest of the twenty-nine convicts, and had my wrist handcuffed back to back with one of them. I appealed against this ere I left Dartmoor, and requested a belt in lieu of a handcuff, or at least to be put at the end of the chain, but neither would be granted.

One of the two between whom I was chained was afflicted with mephitis or stinking breath, and the other I think with scrofula. During the journey to Portsmouth this latter one, to whose hand mine was linked, had an attack of diarrhœa, and I had to submit to the horrors of such a situation, as my hand would not be unlocked from his.

All this, however, may have been through the petty malice of the chief turnkey in Dartmoor, and may not have been ordered by the then governor of that prison.

In Portsmouth prison I was placed on reduced diet because I was incapable of performing heavy labour, such as barrow-wheeling and the like. Yet at the task I was put to—"skintling bricks"—I did as much work as those who had two hands to labour with. I explained this to the medical officer, as a plea in favour of being allowed the ordinary prison rations, but I was told that the Secretary of State had ordered

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that ordinary diet should not be given to men employed at light labour, and that an exception could not be made in favour of me.

I am bound to remark, however, that the quality of the food in Portsmouth was far superior to that of Dartmoor, and that I suffered very little from the reduction in diet during my five weeks' stay in the former prison.

While there I was once reported for falling out of the ranks to see the doctor, through an attack of quinsy. I was not punished with bread and water, but I had to work for a couple of days without any food whatever, being unable to swallow anything, and receiving neither treatment or remedy for my indisposition.

I was ordered back to Dartmoor again on the 16th of July, 1872, and on this return journey I was accompanied by a madman, or as he would be termed in prison slang, a "barmy bloke." I was handcuffed to him of course, and while waiting for a train at Exeter he managed to divest himself of most of his clothing, because he would not be allowed to ask people for tobacco.

My journey back was not much pleasanter than the one coming away. I have made this digression from my exceptionally harsh treatment in Dartmoor, in order to show that in whatever prison I might be incarcerated the fact of my being a political prisoner exposed me to, rather than saved me from, the most inconsiderate treatment at the hands of the prison officials.

But to return to proofs of my exceptional punishment in Dartmoor.

On one occasion (I believe it was in the latter part of 1871) I was ordered by a warder to assist another prisoner in carrying a tub that answered the purpose of a closet for eighty or ninety men, and on my refusing to do so I was taken to the punishment cells and kept there—though not on bread and water—for three days until the doctor had inspected the tub and found that it was too heavy for me to carry.

It was on that occasion I was told by the governor that I was just like another prisoner, and that he could not "make fish of one and flesh of another."

During the whole of Easter week, 1876, I was confined to

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punishment cells, and underwent four days' bread and water, with deprivation of privileges of writing and class for two months, for simply refusing to substitute "sir" for "hear" when answering my name to the assistant-warder in charge of the party to which I belonged. He had no other object in insisting upon this than to satisfy his vanity, unless prompted to involve me in punishment by some of his superiors in this manner. I had always been respectful in my language towards this fellow, though his ruffianly conduct, ignorance, and dirty habits were by-words among both officers and prisoners alike; and on the occasion of his reporting me my conduct had not changed towards him in the least from what it had previously been.

The prison rules require prisoners to be respectful at all times, but do not lay down specific terms to be used in addressing warders.

Hence my punishment was nothing more than a gratuitous piece of petty tyranny.

It is a rule in prison that a convict's punishment, over and above the ordinary penal discipline, is determined by his conduct as a prisoner, and not by the nature of his offence. This rule is, generally speaking, followed by the governor, if not by his subordinate officers, in dealing with convicts. Both governors and subordinates have reversed this rule in my case, I think, as I have already shown. Several instances more can be given. In addition to the same punishment I underwent with the other prisoners, I was subject to closer watching and numberless other annoyances, neither authorized by the rules or merited by my conduct. During the first winter I spent in Dartmoor, I used to find my cell rummaged and bed-clothes strewn about the damp floor several times a week, and generally upon wet days. I have often come into my seven-foot-by-four cell, dripping wet, after drawing a cart about like a beast of burden in the winter's rain or snow, and with saturated clothes upon my back had to gather up my bed and bedding and put to right what had been disarranged for no other motive than to give me work to do during my dinner hour, and thus deprive me of whatever little pleasure I might otherwise enjoy.

Prisoners are not located in "chokey" or penal cells and

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subjected to the refined extra punishment of witnessing the effect of starvation penalties on poor unreasoning wretches, unless they have committed some breach of discipline meriting their being confined in those cells, and even when sentenced to a term of location there, they are removed at the expiration of that term to their former classification.

From August 16th, 1876, until the 9th of November, 1877, Mr. Chambers and myself were located in the penal cells, without our having committed any breach of discipline whatever, or having been charged with any intention of doing so. We were placed under what is termed special surveillance, and once every hour during the night an iron trap-door would be opened to inspect us, and banged to again with no more regard to our being awoke by this noise than if we were wild beasts that had to be watched.

In addition to this there was the howling of the "barmy blokes" or madmen, the shouting and crying of the poor fellows in dark cells upon bread and water, and the singing of those who chose to satisfy their hunger with a snatch of some favourite song. All this was not very favourable to repose after a hard day's work. Once every twelve days I was shifted from one cell to another in this "chokey," and had, in consequence of this, to clean the dirty cells which other prisoners would leave behind.

I was also held responsible for anything that should be found in a cell into which I might be removed. All this was in direct contradiction to the letter and spirit of the rules I was made to observe in every particular; yet, when I over and over again complained of this treatment to the present governor, Captain Harris, and demanded an explanation of it, the answer I received was that he did not consider me as suffering any particular hardship, and that he would not give me the explanation I required. A man's punishment is intensified in proportion to the amount of injustice done him in awarding the sentence he is undergoing; and I think the situation of a man in prison, who has for six years borne the full weight of penal servitude, and has an additional unmerited punishment heaped upon him, where he can neither avoid it, defend himself, or obtain redress, is one calculated to rouse the worst passions of his nature, and drive him to

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desperation or madness. To show conclusively that there was no cause for this extra punishment to which I was subjected, beyond the desire to add to my sufferings, I was removed from those cells in November last by order of Director Fagan, to whom I had complained of how I was treated. Had my conduct as a prisoner deserved this treatment, or had there been any real necessity for my being placed under special surveillance, he assuredly would not have relieved me from either one or the other.

Some idea can be formed of how jealously Mr. Chambers and I were watched and kept apart, by the fact that during the time we were located in the penal cells there were no more than two cells between us, and yet we found it impossible to exchange a word with each other. We would not be allowed even to go to chapel together, until this restriction was removed by Director Fagan in November last.

I have so far confined myself in this I fear uninteresting narrative of prison life, to first, an account of my treatment in various convict establishments, from which some idea of penal discipline may be formed; and second, to detailing the additional punishment by deprivation of privileges and otherwise to which I was subjected unquestionably on account of my being a Fenian prisoner, as my observance of the rules was uniformly strict, and therefore not meriting punishment.

I have not dwelt upon the "sentimental" part of my treatment scarcely at all—the humiliating punishment—the degradation of being placed on a footing, or rather below, the vilest offscum of crime and infamy. Crime of the most revolting nature is but the subject of boast among some of those unfortunate people. In a word, the greater the degree of moral obloquy attached to a crime, the greater is the estimation in which the perpetrator of it is held among his associates.

No such thing as the law of moral obligation is dreamt of in their philosophy. I recollect once being appealed to for sympathy by a man—or rather demon—who complained against English justice in awarding him penal servitude for life. I asked him what he had done to receive it, and he unconcernedly replied that he had outraged a young girl and then murdered her; adding, "but she was a deformed thing,

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and to give a man 'life' for that is a d——d shame."

I think it was Lord Byron who once expressed a wish to know how one felt after committing murder. I have heard murderers repeat how *they* have felt. I have listened to tales of murder and outrage without ever hearing the slightest expression of remorse from the narrators, and I have had to listen to myself being spoken to as "chum," "pal," "old boy," "friend," and all the terms of companionship in the parlance of crime.

I remember once being asked by a young thief what burglary *I* had committed to receive so heavy a sentence, and on my replying that I had not the honor of belonging to the "order," he contemptuously retorted, "Oh! indeed! I suppose you have chucked it up *now*, but don't try to make *me* believe you ever got fifteen stretch (years) *without stealing something*."

Yet there is another feeling arising from such association as this besides the one I have alluded to, and that is one of pain and sorrow at seeing a class of men exist in a Christian country and age, so steeped in crime and immorality—so invincibly ignorant of the higher sentiments and feelings of man, as to look upon the most atrocious offences as only meriting applause, and creating envy among the class to which they belong.

It stirs the indignation of the humane hearts of the present day to see a dog or any other animal ill-treated, as if it were capable of judging between right and wrong, and had selected to act perversely to some one's behests.

Men whose early years have been vitiated in an atmosphere of crime, whose recollections of childhood are those of neglect, hunger and theft, and whose after lives have run in an orbit of iniquity, at once fixed and repelled by the operation of that very influence which should have rescued them from thence—the influence of Society—such men can be scarcely any more responsible, from a moral point of view, for the actions they commit, than the unreasoning animal which follows the impulse of its passions.

We are told that it is natural in man to steal, and that a child exemplifies the truth of this by trying to get possession of whatever excites its desires. If a state of society existed in which such a child would not be taught the law of moral

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obligation, would it be matter of surprise to see it carry into manhood the uncorrected impulse of its nature, and become an Ishmael of the social commonwealth?

The society, law, government, or any other name you please to call that power which assumes responsibility in a state that generates this class of men is accountable before God for the degradation of those whom His providence had moulded in His own form, and answerable to His justice for the inhumanity of their punishment.

A few days ago I stood before the statue of the philanthropist Howard in St. Paul's Cathedral, and experienced the pleasure arising from a knowledge of the misery alleviated, of the sufferings healed, and consolation afforded, by the exertions of a single man. I bowed in reverence to the relics of one who had carried a sympathetic heart into the dungeons of Europe and cheered by his presence those gloomy homes of woe and despair. I wondered if his spirit were now looking down upon the unchristian system which his country had invented for the "reformation" of the unfortunate, and lamenting that she of all other lands had profited least by his teaching, and her criminal classes by his exertions. What would he say of his country's prisons where it is a punishable offence to share a morsel of bread with a starving wretch in order to assuage the hunger that often seeks to satisfy itself upon the most repulsive things? Would he not lament that England had not invented some other means of punishment than semi-starvation and the "cat"—a more humane system than one which generates the most fatal diseases, induces insanity and paralysis, and arouses all that is bad and vindictive in human nature to fix the habits of crime which have made those unfortunate people outcasts of society? On Good Friday last I heard a paralysed man appeal for a drink of water to a deputy-governor of a prison, and the reply to that appeal was, "You have water inside your cell door, and if you want it you can get up for it." The man had been carried out of the infirmary and put in a punishment cell nearly opposite to mine—his offence was *paralysis*. He was dragged on the floor to and from the governor's office to be reported and punished for—being paralytic! One more instance of how prisoners are "reformed"

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in Dartmoor. In September last a party of convicts were employed at hay-making outside the prison walls, in charge of armed warders and guards.

One of the prisoners (a young lad named Murphy, eighteen or twenty years of age), on being threatened by a warder that he would be reported for not performing enough of work, ran at the officer with a wooden rake and struck him (or attempted to do so) in the legs with it. He was immediately felled to the earth by the staffs of the warders that rushed upon him.

On witnessing this cowardly conduct, five or six men in the party cried, "Shame for two or three officers to knock down a boy in that manner." The boy Murphy, together with five men who had simply spoken as above, were tried by directors, and sentenced to three dozen lashes by the cat each, with twenty-eight days' bread and water, and ninety days penal class in punishment cells, and to wear cross irons night and day for six months.

A volume could be filled with instances of this kind where men are provoked to desperation by "morality" teachers from the English army and navy, and then punished by the "cat" and starvation in order to instil into them "sound moral principles," &c. In Chatham prison alone no less than fifty men have voluntarily deprived themselves of arms, legs, fingers, and in many instances life itself, in order to escape the terrible discipline which destroyed M'Carthy's health and insured his premature death.

This concludes a brief sketch of what Penal Servitude really is; and how myself and all those who have been, and those who are still, in prison for Fenianism have been made to feel, not only all the unmitigated horrors of penal discipline, but all that vindictive malice and prejudice could do to aggravate our punishment, and deprive us of every remedy against madness, and the hope of ever leaving prison otherwise than debilitated in mind and body for the remaining portion of our lives.

Among the eight political prisoners still incarcerated, there is not one, I believe, who does not complain of either heart disease, consumption, or other affliction equally indicative of a ruined constitution; and that this is attributable to their

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long and inhuman punishment no candid mind can for a moment doubt after the verdict given on the inquest of Charles M'Carthy.

Edward O'Connor, now in Spike Island Prison, has completed thirteen years of penal servitude, such as I have attempted to describe. He has been flogged twice or three times with the cat for striking or attempting to strike warders who have, in all probability, provoked him to do this to give them an opportunity of involving him in trouble and extra punishment.

Not many months ago he underwent twenty-eight days bread and water while afflicted with an abscess in his hip, for some breach of discipline; and though this has been half denied by Sir M. H. Beach, it is nevertheless true, Edward O'Kelly's truthful statement of the fact to his sister being now confirmed by a recently-discharged prisoner from Spike Island. Is the "majesty of the law" vindicated in O'Connor's case, or is his sentence to be practically death by fifteen years' imprisonment and torture? Answer ye English philanthropists. John Dillon has had over eleven years' experience of "Spike" also, and still lives suffering and silent. Robert Kelly has recently been seen by his wife and little daughter, and the change in his appearance since last visited is prophetic of a speedy end to his existence, if not liberated. He is afflicted with heart palpitation, and has to work notwithstanding, without any remedy to alleviate his suffering, or even sufficient nutritive food to sustain him, as he has informed his wife. Edward O'Kelly is also succumbing to the treatment which killed M'Carthy. Location in penal cells—loss of sleep, deprivation of exercise, special surveillance, &c., have induced heart disease and insured a lingering death.

The fortunate professional burglar, "O'Brady," who gave evidence against O'Kelly, was released "on medical grounds" while undergoing his second sentence. Would it be in anyway contrary to justice, Divine or human, to deal with the political offender in the same manner as the thief has been dealt with?

O'Meara Condon has completed over ten years of his life sentence, and must inevitably have contracted a shattered

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constitution from the sufferings which a decade of penal discipline must necessarily entail.

Patrick Melody has served the same term of years with his companion in Portland, and complained when last visited that his health was fast giving way. He has received a large amount of extra punishment, and has recently been denied the pleasure of seeing his brother through some trivial offence against the prison rules.

James Clancy was sentenced in 1868, and though entering prison with an unimpaired constitution, he is now, I am told by friends who have visited him, declining perceptibly.

Thomes Ahearn has finished ten years also, and is now a complete wreck in mind and body. He was treated while in Millbank as insane, and he is known to the prison authorities as having been more or less so ever since. Not a single letter has he writtten from Dartmoor during the past nine years which did not contain conclusive evidence of his mental disease. He has often assured me when we have obtained a chance of exchanging a word or two, that the judge who sentenced him only gave him nine months, and that the police authorities have changed that term to one of life. Nothing can convince him but that this is true. He has often sent me messages by other prisoners that he was to be liberated on a certain day, and he would feel confident that he should realise what his disordered mind had prompted him to believe. He was once or twice reported for refusing to comply with the customary "crop," or weekly cutting-close of hair and beard, alleging that his time was up, and he was going home! He is now afflicted with heart disease, and if not soon removed from Dartmoor his time in this world is very short.

My object in bringing these facts before the public is twofold. I am desirous, in the first place, to allow facts to corroborate the repeatedly denied assertion that myself and prison companions were treated with exceptional harshness, and subjected to heavier punishment than ordinary convicts; and, secondly, to demand an inquiry into the complaints of similar ill-treatment made by the eight remaining political prisoners by the Commission now supposed to be investigating the working of the Penal Servitude Act in English and Irish

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Convict Establishments. It is not irrelevant to the object for which this Commission was understood to be appointed, to have James Clancy, of Portsmouth Prison, Thomas Ahearn, of Dartmoor, O'Meara Condon and Patrick Melody, of Portland, and Edward O'Connor, John Dillon, Robert Kelly and Edward O'Kelly of Spike Island Prisons, examined by the said Commission, and their treatment under this Penal Servitude Act reported upon by the same.

I have been informed, while in prison, that when inquiries have heretofore been made by Commission or otherwise, that select convicts have been brought forward by the prison authorities to be interrogated as to discipline, diet, and whatever other matters may have been the subject of such inquiries upon which the testimony of prisoners would be required.

As the treatment of the political prisoners I have named has been, and is still, a public question, their examination before the Commission is but just to themselves and to the prison authorities, and also due to the public in order to have from it an impartial judgment upon the question. I would also respectfully submit the following suggestions to the Commission as to eliciting facts and information touching the working of the Penal Servitude Act and the management of convict establishments in England and Ireland :—

1st. That a competent medical authority be appointed by the Commission or Secretary of State to investigate cases of hopeless heart disease and paralysis induced by imprisonment; and to examine prisoners' medical sheets and medical officers' journals to discover such cases and report upon same. And also to inspect the ventilation and sanitary arrangements in each prison, and to report upon the fitness of the small iron cells as sleeping compartments in respect to the quantity of air they are capable of containing.

2nd. That the justice of depriving permanent invalids of a portion of the ordinary prison rations, and a part of their remission of sentence by a reduced number of marks per day, on account of their being physically unable to perform heavy labour, be inquired into.

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3rd. That the number of suicides and deaths by accident in Chatham, Dartmoor, Portsmouth, Portland, and other prisons, since the Penal Servitude Act came in force, be ascertained; and that the penal records of all such prisoners be seen by the Commission, as also particulars of the inquests held.

4th. That the number of maimings by accident, voluntary mutilations of arms, legs, &c., in Chatham, Portsmouth, Portland, Dartmoor, and other prisons since the present Act came into force, be ascertained, the causes inquired into, penal records of such prisoners seen, and the extra punishments undergone previous to such accidents and mutilations, to be noted. Also the character of the task or labour at which such prisoners were employed when maimed, &c., to be inquired into; and men still in prison who have been maimed or who have mutilated themselves, to be interrogated as to causes or motives of their accidents or mutilations. Also to ascertain what compensation by money or remission of sentence has been given to prisoners who have met with accidents during their imprisonment.

5th. That governors' journals and prisoners' conduct-books be inspected in each prison, and prisoners termed "incorrigible" or "insubordinate" be examined by the Commission, their punishments inquired into, and the causes of their insubordination. Also that punishment cells be visited in each prison, and men found in same to be examined as to diet and discipline of such prison; men found in hospital to be questioned on same points; and the Commission to select from among prisoners who have been in such prisons longest, those it may desire to interrogate on discipline, work, diet, conduct of warders, &c.

6th. The classification of convicts deserves the special attention of the Commission. Men who have undergone two or three sentences—professional thieves—are placed on the same footing and in the same scale of remission as those convicted for the first time for any offence whatsoever. Boys sentenced to penal servitude for the first time are associated with old and hardened

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criminals if the time done of their respective sentences correspond, and they are in the same "party" and "class." As a general rule the prisoners selected by warders as "standing orderlies" or "ward-assistants" —those employed in "special billets," or "posts of responsibility"—men in the cook and bake-houses—and infirmary orderlies or assistants—are re-convicted convicts, men whose qualifications for such places arise from their "knowing their way about." These are the class which prison officials would have examined on inquiries.

And—

7th. That the Commission should inquire into the fitness of pensioners from the army and navy for performing the duties of warders and assistant-warders, by examining into the moral and mental training of such numbers of them as the Commission may deem necessary for that purpose in each prison.

Believing that every effort will be made by the prison authorities to screen the present system from censure or exposure, and endeavour to have themselves whitewashed by an *ex parte* investigation into the management of convict establishments, I earnestly press these few suggestions upon the attention of the Commission of Inquiry in the interests of truth and justice.

MICHAEL DAVITT,
Ex-Treason-Felony Convict,
W. 822.

London, March, 1878.

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